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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010164032026

+ **ARB.P. 714/2026 & I.A. 10777/2026**
HIND CONSTRUCTION COMPANY

.....Petitioner

Through: **Mr. Bankim Garg & Ms. Nikita Salwan, Advs.**

versus

MUNICIPAL CORPORATION OF DELHI Respondent

Through: **Mr. Sanjay Vashishtha, SC with Mr. Siddhartha Goswami, Adv.**

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

% **19.08.2026**

1. This petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for appointment of an arbitrator.
2. The brief facts are that the respondent invited tender for the work of hiring LMV with auto-tipping facility for collection and disposal of municipal waste. The agreement was executed on 27.07.2012 between the parties. The letter of acceptance dated 01.06.2012 was issued to the petitioner. Pursuant to the LOA and subsequent work orders the petitioner completed the work in February 2019. Dispute arose with regard to deductions towards service tax and escalation of labour charges. A writ petition filed by the petitioner was disposed of by this court on 07.08.2024 with directions to release the withheld service tax with liberty to the petitioner to avail appropriate remedy in accordance with law regarding difference of labour charges. Clause 25 of the agreement provided for dispute resolution through arbitration. Notice invoking arbitration was



served on 18.09.2025 by the petitioner.

2.1 In an earlier petition under Section 11 of the Act, the court vide order dated 28.01.2026 appointed an arbitrator who recused herself owing to a conflict of interest. Hence, the present petition.

3. Learned counsel for the respondent on instructions has no serious objection for referring the matter to arbitration.

4. Accordingly, the petition is allowed by appointing Justice Mr. G Ramakrishna Prasad (Retd.) (Mobile No.9811966676) as the sole arbitrator for adjudication of the disputes which have arisen between the parties. Pending application is also disposed of.

5. Arbitral proceedings will be held under the aegis of Delhi International Arbitration Centre (DIAC). Fee of the Arbitrator shall be fixed as per fee schedule.

6. Before entering upon reference, the learned Arbitrator will comply with Section 12 of the Act.

7. It is made clear that since this Court has not expressed any opinion on the merits of the rival claims of the parties and it will be open for the parties to file their respective claims/counter claims before the learned Arbitrator which will be considered in accordance with law.

8. A copy of this order be forwarded to the learned Arbitrator for information.

AVNEESH JHINGAN, J

AUGUST 19, 2026
Ch