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

CNR No. DLHC010174342026

+ **ARB.P. 743/2026**

AMBA OXY ENTERPRISES PVT. LTD

.....Petitioner

Through: Mr. S.W. Haider, Ms. Pooja Dua, Ms.
Urzica Chauhan, Ms. Simran Kaur &
Ms. Muskan Sangwan, Advs.

versus

UNION OF INDIA

.....Respondent

Through: Ms. Radhika Bishwajit Dubey, CGSC
with Ms. Gurleen Kaur Waraich &
Mr. Kritarth Upadhyay, Advs.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

19.08.2026

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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 petitioner was awarded work by respondent represented by the General Manager, Northern Railways for 'Balance work of washing line no. 20 and Replacement of Old Washing cum pit line no. 19 in the section of SSE/W/L/DLI under ADEN/DLI and Repair to worn out pipe of PF Line 1, 12, 13 & 15 at Delhi station in the S/o SSW/W/DLI' vide Letter of Acceptance dated 20.01.2024 for a contract value of Rs.5,71,06,838.51/- with the stipulated period of completion of six months. Pursuant thereto, the contract was executed between the parties on 25.04.2024. Disputes arose between the parties inter alia, the execution of the work and claims of the petitioner which were not included in the final bill. The respondent thereafter terminated the contract by letter dated



16.06.2025.

2.1 Vide letter dated 23.08.2025, the arbitration was invoked at the instance of the petitioner under Clause 64 of the General Conditions of Contract. In response, the respondent by letter dated 24.02.2026 sought the consent of the petitioner to waive the applicability of Section 12(5) of the Act for appointment of its officer as arbitrator. The petitioner did not agree and sought appointment of an independent arbitrator. Hence, the present petition.

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

4. Accordingly, the petition is allowed by appointing Justice Ms. Shalinder Kaur (Retd.) (Mobile No.9910384702) as the sole arbitrator for adjudication of the disputes which have arisen between the parties.

5. The fees of the learned Arbitrator will be governed by Schedule IV of the Act. Before entering upon reference, the learned Arbitrator will comply with Section 12 of the Act.

6. It is made clear that since this Court has not expressed any opinion on the merits of the rival claims of the parties, 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.

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

AVNEESH JHINGAN, J

AUGUST 19, 2026

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