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

+ **ARB.P. 125/2025**

OYO WORKSPACES INDIA PRIVATE LIMITEDPetitioner

Through: Mr. Samarth Mehrotra, Mr. Diptiman
Acharya & Mr. Sagar Kumar
Pradhan, Advocates

versus

SANSPOTS FINSERV PRIVATE LIMITEDRespondent

Through: None

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **18.03.2025**

1. This is a petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 ('Act of 1996'), the petitioner seeks appointment of an Arbitral Tribunal comprising of a Sole Arbitrator, to adjudicate the disputes between the parties.

2. It is stated in the petition that the disputes between the parties have arisen with respect to a Membership Agreement dated 06.11.2023. It is stated that said agreement contains an arbitration agreement at Clause 27 which reads as under:

"27. Governing Law and Dispute Resolution
Governed by Indian Law. Disputes shall be resolved by arbitration in accordance with Arbitration and Conciliation Act, 1995 at New Delhi only."

3. It is stated that since there were disputes between the parties, the Petitioner invoked arbitration agreement vide notice dated 22.07.2024 invoking the arbitration agreement recorded in clause 27 of the agreement.



The said notice was served through e-mail as well as speed-post.

4. None appears on behalf of the Respondents.

5. Learned counsel for the Plaintiff states that the Respondent has been duly served at the first two (2) addresses at Maharashtra enlisted in the memo of parties through speed post as well as the Court process. He states that the service could not be affected at the third address, at Pune mentioned in the memo of parties. He states that however, since the Respondent has been served at the first two (2) addresses in the Rajura, Maharashtra which includes the registered office of the Petitioner as per the MCA records, the service is sufficient.

6. He states that the Respondent has also been duly served at the e-mail address furnished in the record available with Ministry of Corporate Affairs ('MCA') which is filed along with this petition as Document No. 2.

7. He states that the contract between the parties i.e., membership agreement dated 06.11.2023 pertains to allocation of co-working space to the Respondent at the building known as Innov8, Suman Business Park Innov6 which is located in Delhi and therefore, a substantial part of cause of action has arisen at Delhi. He states that as per Clause 27 of the agreement, the parties had agreed disputes shall be resolved by arbitration at New Delhi. He states that in these facts, this Court has the requisite territorial jurisdiction for appointment of Arbitrator.

8. He states that a sum of Rs. 42.31 lakhs is the subject matter of the arbitration claim therefore, an Advocate be appointed as a sole Arbitrator and arbitration proceedings be conducted under the aegis of the Delhi International Arbitration Centre (DIAC).

9. In the aforementioned facts, this Court is satisfied that the Respondent has



been duly served in this petition.

10. Further, this Court is satisfied with respect to the existence of a valid arbitration agreement between the parties. The Petitioner has also duly proved the invocation of the said arbitration clause vide notice dated 22.07.2024.

11. Accordingly, the present petition is allowed and Ms. Sanam Tripathi, Advocate (D-943/2014) (Mob. No. 9818352060; E-mail: sanamtripathi02@gmail.com) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.

12. The arbitration will be held under the aegis of the Delhi International Arbitration Centre ('DIAC'). The remuneration of the learned Arbitrator shall be in terms of Schedule IV of the Act of 1996. The Arbitrator will be at liberty to hold the arbitration at a venue outside the DIAC and the cost of the venue will be borne by the parties.

13. The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the A&C Act before entering into the reference.

14. It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claims, any other preliminary objection, as well as claims on merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.

15. The statement of claim will be filed within six (6) weeks.

16. List the matter before the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi for preliminary hearing to be presided over by the learned sole Arbitrator on 24.04.2025.

17. The DIAC is directed to register the case and issue fresh notice to the Respondents for the hearing dated 24.04.2025.



18. With the aforesaid direction, the petition stands disposed of.
19. The registry is directed to send a copy of this order to Secretary, DIAC for information and compliance and the learned Sole Arbitrator.
20. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J
MARCH 18, 2025/msh/AKT

[Click here to check corrigendum, if any](#)