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

+ **ARB.P. 186/2025**

M/S RADIANCE INFRA

.....Petitioner

Through: **Mr. Rohit Taneja and Ms. Ruchi Gupta, Advocates.**

versus

CDS INFRA PROJECTS LIMITED

.....Respondent

Through: **None.**

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

10.03.2025

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1. By way of present petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter, referred to as the '*A&C Act*'), petitioner seeks appointment of Arbitral Tribunal comprising of a Sole Arbitrator, to adjudicate the disputes between the parties.
2. Learned counsel for the petitioner submits that the parties had entered into a Work Order dated 02.02.2022 and Clause 20 of the same stipulates resolution of disputes with respect to the Agreement through arbitration. The Clause further provides for the place of arbitration to be at Delhi. The petition is accompanied with notice under Section 21 of the A&C Act issued on 07.09.2024.
3. On the present petition being filed, notice was issued on 27.01.2025. Learned counsel for the petitioner states that the respondent has been served



through postal as well as electronic modes. In this regard, attention of the Court is drawn to the affidavit of service which has been placed on record. Learned counsel for the petitioner states that the respondent has been served on 20/21.02.2025. He states that the respondent has also been served on 24.02.2025 vide email on the address as provided and the said email has not bounced back.

4. In view of the affidavit of service placed on record alongwith the tracking report, the respondent is deemed to be served. Today, neither the respondent is represented nor any reply has been filed. It appears that the respondent has no objection to the reference of disputes to the Arbitrator.

5. Considering the above, this Court finds no impediment in referring the disputes between the parties to a Sole Arbitrator. The present petition is disposed of with the following directions:

- i) The disputes between the parties under the said agreement are referred to the Arbitral Tribunal.
- ii) Mr. Aman Bhalla, Advocate (Mob: 8826971251 and email: amanbhallachambers@gmail.com) is appointed as the Sole Arbitrator to adjudicate the disputes between the parties.
- iii) The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the 'DIAC'). The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018 or as the parties may agree.
- iv) The learned Arbitrator shall furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
- v) It is made clear that all the rights and contentions of the parties,



including on the existence and validity of the Arbitration agreement, arbitrability of any of the claim/counter claim, any other preliminary objection, need and legality of interim relief, as well as contentions on merits of the dispute by either of the parties, are left open for adjudication by the learned Arbitrator.

- vi) The parties shall approach the learned Arbitrator within two weeks from today.

MANOJ KUMAR OHRI, J

MARCH 10, 2025/rd