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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 252/2025**
M/S L D SULANIA AND CO

.....Petitioner
Through: Ms. Aayushee Priya, Adv.

versus

CG POWER AND INDUSTRIAL SOLUTIONS LIMITED
.....Respondent
Through: Mr. Shreyak Gupta, Adv.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

% **ORDER**
20.03.2025

1. This is a petition seeking appointment of the Sole Arbitrator for adjudication of disputes pending between the parties.
2. In the present case, the petitioner was awarded the work by the respondent for construction of building and outdoor switchyard at 33kV GIS Substation, AIIMS, BRPL, Delhi *vide* SAP Order No. 450145876. The work was amended by the Amendment No. VI on 28.07.2021.
3. The agreement contains Arbitration Clause 20 which reads as under:

“20) ARBITRATION

In the event of disputes arising out of this contract, the parties hereto agree that the matter shall be referred to the Senior General Manager of the company for his decision. In the event of further disputes, the matter will be referred to two arbitrators under the Arbitration Act of 1996 and such



*amendments as many have been enacted thereafter.
The place of arbitration will be the city of Delhi.*

Notwithstanding the references of the dispute to arbitration, work under the contract shall be continued unless the nature of disputes is such that it is not possible to continue the work.”

4. Since the parties were having disputes, the petitioner invoked arbitration *vide* legal notice dated 25.03.2022. The said notice was replied by the respondent on 25.04.2022 and raised counter claims.

5. Since the disputes are pending between the parties, the present petition has been filed.

6. Mr. Gupta, learned counsel appears for the respondent and has no objection to the petition being allowed.

7. For the said reasons, the petition is allowed and the following directions are issued:-

- i) Ms. Beenashaw Soni, Advocate (Mob. No. 9810046611) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
- ii) 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’).
- iii) The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators’ Fees) Rules, 2018.
- iv) The learned Arbitrator is requested to 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 as to the arbitrability of any of the claim, any other preliminary objection, as well as claims/counter-claims and merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator, including maintainability of the claims/counter claims.
 - vi) The parties shall approach the learned Arbitrator within two weeks from today.
8. The present petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

MARCH 20, 2025/gs

Click here to check corrigendum, if any