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

+ **ARB.P. 284/2025**

RAKESH KUMAR VERMA & ANR.

.....Petitioners

Through: Mr. Jatin Lalwani & Mr. Nikhil
Purohit, Advs.

versus

MILI AGARWAL

.....Respondent

Through: Mr. Gaurav Dua, Mr. Kaushal Kait,
Mr. Jatin Yadav & Mr. Daksh Gupta,
Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **26.05.2025**

1. This is a petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, seeking appointment of an arbitrator to adjudicate the dispute between the parties, arising out of a Registered Partnership Agreement dated 31.01.2021.
2. The brief facts of the case are that the petitioner and the respondent are partners of M/s C. M. Enterprises. The respondent was vested with the executive and managerial functions of the firm on request.
3. It is stated that the petitioner later came to know that the respondent defrauded the firm and made unauthorised transactions for personal gain.
4. The said Agreement contains an arbitration agreement, being Clause No. 12, which reads as under:-

“12. That whenever any difference or dispute shall arise between the parties hereto touching there presence or anything herein contained or the operation thereof of the firm, the matter in difference or dispute shall be referred



to the Arbitrator to be appointed by the parties to this deed. The decision of the Arbitrator shall be final and binding on the parties to this deed. In this respect, the provisions of the Indian Arbitration and Conciliation Act, 1996 or any other subsisting statutory modification thereof shall apply.”

5. Since there were disputes between the parties, the petitioner invoked arbitration *vide* legal notice dated 17.12.2024 and thereafter, filed the present petition.
6. Mr. Dua, learned counsel for the respondent, states that the reply has been filed by the respondent, but the same is not on record.
7. He further states that the objections in the reply filed are objections on the merits of the case, which are to be adjudicated by the Arbitrator.
8. For the said reasons, the petition is allowed and the following directions are issued:-
 - i) Ms. Kumud Singh (Advocate) (Mob. No.9810396060) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - ii) The arbitration will be held under the aegis and rules 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, legal objections and merits of the dispute of 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.

9. The present petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

MAY 26, 2025/pk

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