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

+ ARB.P. 285/2025

M/S COLLIERS INTERNATIONAL (INDIA) PROPERTY
SERVICES PVT. LTD.Petitioner

Through: Mr. Rizwan, Ms. Sachi Chopra and
Mr. Samarth Sharma, Advs.

versus

BPTP LIMITEDRespondent

Through: Mr. Kaushik Poddar, Mr. Aditya
Samaddar and Mr. Akash Dalai,
Advocates

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+ ARB.P. 286/2025

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SERVICES PVT. LTD.Petitioner

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BPTP LIMITED

.....Respondent

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CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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16.07.2025

1. The present petitions have been filed under Section 11(6) of the Arbitration and Conciliation Act, ('A&C Act') seeking appointment of a Sole Arbitrator to adjudicate the disputes that have arisen between the parties.

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2. It is stated that the dispute emanates from Work Order No. 414 dated 11.03.2023 issued by the Respondent in favour of the Petitioner with respect to interior finishing work at project Astaire Garden, Sec-70A, Gurgaon, Haryana.

3. The arbitration Clause V of the said Work Order provides for resolution disputes through arbitration by a Sole Arbitrator to be appointed, with the seat of arbitration at New Delhi.

4. It is stated that the Petitioner issued a legal notice dated 03.10.2024 upon the Respondent invoking arbitration under Section 21 of the A&C Act, for appointment of a Sole Arbitrator.

5. It is stated the claim value is Rs. 10.13 lakhs approximately.

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6. It is stated that the dispute emanates from Work Order No. 386 dated 01.11.2022 issued by the Respondent in favour of the Petitioner for interior



finishing work of the club at project Astaire Garden, Sec-70A, Gurgaon, Haryana.

7. The arbitration Clause V of the said Work Order providing for resolution disputes through arbitration by a Sole Arbitrator to be appointed, with the seat of arbitration at New Delhi.

8. It is stated that the Petitioner issued a legal notice dated 03.10.2024 upon the Respondent invoking arbitration under Section 21 of the A&C Act.

9. It is stated the claim value is Rs. 81.33 lakhs approximately.

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10. It is stated that the dispute emanates from Work Order No. 412 dated 01.02.2023 issued by the Respondent in favour of the Petitioner for 'Provision and Installation of Doors and Fire Doors for the Club' with respect to interior finishing work at project Astaire Garden, Sec-70A, Gurgaon, Haryana.

11. The arbitration Clause T of the said Work Order providing for resolution disputes through arbitration by a Sole Arbitrator to be appointed, with the seat of arbitration at New Delhi.

12. It is stated that the Petitioner issued a legal notice dated upon the Respondent invoking arbitration under Section 21 of the A&C Act.

13. It is stated the claim value is Rs. 6.80 lakhs approximately.

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14. In light of the foregoing facts, the Petitioner has approached this Court for the appointment of a Sole Arbitrator under Section 21 of the A&C Act for each of the above contracts.

15. Learned counsel for the Petitioner submits that since all three (3) Work Orders dated 11.03.2023, 01.11.2022 and 01.02.202 are between the



same parties, relate to the same project site, and arise out of similar nature of work, it would be in the interest of convenience and judicial economy that a common Sole Arbitrator be appointed to adjudicate all three petitions.

16. In response, learned counsel for the Respondent submits that appointment of a common Sole Arbitrator may prejudice the outcome of individual claims and requests that, in case the Court appoints a common Arbitrator, it may be directed that the Sole Arbitrator shall conduct separate proceedings for each Work Order and pass separate Arbitral Awards. He states that the disputes of the Respondent qua each work order is separate and distinct.

17. The Court has heard the submissions made by the parties and has perused the record.

18. A perusal of the Arbitration Clauses of the aforementioned Work Orders shows that there exists a valid arbitration agreement between the parties and the said Arbitration Clauses have been duly invoked by the Petitioner vide legal notices dated 03.10.2024.

19. In view of the foregoing and considering the fact that the parties are common in all three petitions; the arbitration clauses are similarly worded; the project site is common, this Court deems it appropriate to appoint a common Sole Arbitrator for all three petitions, subject to the direction that separate arbitral proceedings shall be conducted.

20. By separate Arbitral proceedings it is directed that, pleadings shall be filed separately, evidence shall be lead separately and separate Arbitral Awards be passed for each of the three (3) disputes.

21. Keeping in view the value of the claims, it is deemed appropriate to appoint an Advocate as a Sole Arbitrator. The Arbitration will be conducted



under the aegis of Delhi International Arbitration Centre [‘DIAC’] with the following directions: -

- (i) Mr. Abhimanyu Mahajan, Advocate [Enrl. No. – D/598-R/1998, Mobile No. 9811103447, e-mail ID: - abhimanyumahajan@gmail.com] is appointed as Sole Arbitrator.
- (ii) The arbitration will be held under the aegis and as per the rules of the DIAC. The remuneration of the learned Sole Arbitrator shall be in terms of Schedule IV of the Act of 1996 as amended by DIAC rules.
- (iii) The learned Sole Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act of 1996 before entering into the reference.
- (iv) The learned Arbitrator shall conduct separate proceedings for each Work Order, call for separate pleadings, records separate evidence and render separate Awards, in accordance with law.
- (v) The learned Arbitrator will however be at liberty to hold the proceedings on the same date.
- (vi) 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.
- (vii) DIAC shall register each arbitration separately. Thus, there will be three arbitration cases registered.

22. Learned counsel for the Petitioner states that the statement of claim in each of the Arbitral proceedings will be duly filed within four (4) weeks.



23. List all the three arbitration cases for preliminary hearing to be presided over by the learned sole Arbitrator on **04.09.2025 at 10:30 AM at DIAC.**

24. Since the date of preliminary hearing has been fixed in the presence of the parties, DIAC need not issue fresh notice to the parties.

25. With the aforesaid direction, the captioned petitions stand disposed of.

26. The registry is directed to send a copy of this order to Secretary, DIAC for information and compliance and the learned Sole Arbitrator.

27. 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

JULY 16, 2025/mt/AKP