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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 353/2025**
XS PRODUCTIONS INDIA PVT LTDPetitioner

Through: Mr. Rajiv Bakshi, Mr. Kajal Sharma &
Mr. Ram Pravesh Rai, Advs.

versus

SRF LTDRespondent
Through: Mr. Surendra Kumar, Adv.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
05.05.2025

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1. This is a petition filed under Section 11 of Arbitration and Conciliation Act, 1996, seeking appointment of an Arbitrator for adjudication of the disputes between the parties.
2. The facts are that the respondent approached the petitioner for construction of exhibition SRF stall at Interpack, 2023 at Dusseldorf Germany, which was scheduled to be held from 04.05.2023 to 10.05.2023. After discussion and negotiations, a Work Contract dated 27.03.2023 was executed and work was awarded to the petitioner.
3. The said Contract contains arbitration clause being clause 6(iii) which reads as under:-

“6 Final Provisions

.....

iii Governing Law and Submission to Jurisdiction

*Any dispute or claim arising out of or relating to this
Letter shall be submitted to arbitration by one*



arbitrator mutually agreed upon by the parties, and if no Contract can be reached within thirty (30) days, then by one Arbitrator chosen by the India. The arbitration shall take place in Delhi, India in accordance with the Indian Law then in effect and judgment upon an award rendered passed rendered in such arbitration will be binding and may be entered in any court having jurisdiction thereof.

This Contract shall be governed by and construed in accordance with the laws of the India without regard to the application of principles of conflicts of law”

4. Since there were disputes between the parties, the petitioner invoked arbitration *vide* Legal Notice dated 20.05.2024 and thereafter, filed the present petition.
5. Mr. Kumar, learned counsel for the respondent states that no reply has been filed and has orally objected and submitted that the parties may be referred to Mediation before the learned Arbitrator enters reference.
6. For the said reasons, the petition is allowed and the following directions are issued:-
 - i) Mr. Naveen Gupta, Advocate (Mobile No.9312248478) 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 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.
 - vii) The learned Arbitrator shall not enter reference for a period of twelve weeks from 09.05.2025 to enable the parties to explore the possibilities of mediation before the Delhi High Court Mediation Centre.
- 7. The party shall appear before the Delhi High Court Mediation Centre on 09.05.2025 at 4:00 pm.
 - 8. The documents handed over in Court today are taken on record.
 - 9. The petition is disposed of.

JASMEET SINGH, J

MAY 5, 2025/pk

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