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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 437/2025**
MR KABEER PROPRIETOR OF THE GLOBAL ZONE HR
SERVICESPetitioner

Through:

versus

M/S KEHEMS TECHNOLOGIES PVT LTDRespondent
Through: Mr. Saini, Adv. (Appearance not
given)

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
15.04.2025

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1. As there was a holiday on 14.04.2025, the matters of the said date are taken up for hearing today.
2. This is a petition filed under section 11 of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator to adjudicate the disputes between the parties.
3. The petitioner provides HR services and entered into a Contract dated 20.01.2020 for hiring candidates for working with the respondents.
4. It is alleged that the respondent committed breach by hiring candidates without informing the petitioner. The same is disputed by Mr. Saini, learned counsel for the respondent.
5. The said Contract contains arbitration clause being Clause J which reads as under:



“J). All disputes and differences arising in relation to this agreement shall be subject to arbitration by a sole arbitrator appointed by us in accordance with the Arbitration and Conciliation Act 1996 and the venue of arbitration shall be Delhi.”

6. Since there were disputes between the parties, the petitioner invoked arbitration *vide* legal notice dated 20.02.2025 issued on 22.02.2025.

7. Mr. Saini, learned counsel for the respondent has no objection to the appointment of an Arbitrator as long as all legal rights including the right to file a counter-claim are left open.

8. For the said reasons, the petition is allowed with the following directions:

- i) Mr. Daniyal Khan, Advocate (Mob. No. 9819600925) 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.
- 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

APRIL 15, 2025/DM

Click here to check corrigendum, if any