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

+ **ARB.P. 471/2025**

PRAMILA KUMARIPetitioner

Through: Ms. Kirti Mewar, Advocate.

versus

SHANE ALAM AND ANRRespondents

Through: Mr. Anurag Jain and Mr. Maroof
Ahmed, Advocates with Respondents in person.

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+ **O.M.P.(I) (COMM.) 84/2025**

PRAMILA KUMARIPetitioner

Through: Ms. Kirti Mewar, Advocate.

versus

SHANE ALAM AND ANRRespondents

Through: Mr. Anurag Jain and Mr. Maroof
Ahmed, Advocates with Respondents in person.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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28.08.2025

ARB.P. 471/2025

1. This petition is filed on behalf of the Petitioner under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 ('1996 Act') for appointment of a Sole Arbitrator to adjudicate the disputes between the parties.

2. Disputes between the parties emanate out of Collaboration Agreements dated 14.05.2022 and 25.08.2023, executed between Petitioner



and Respondents No. 1 and 2 in respect of redevelopment/reconstruction of property bearing No. G-5, South Extension, Part-II, New Delhi. Petitioner invoked the arbitration clause in the Collaboration Agreement and sent notice invoking arbitration on 04.01.2025 to the Respondents proposing names of persons for appointment of the sole Arbitrator, however, Respondents in their reply dated 06.01.2025 declined to consent to appointment of an Arbitrator on the ground that claims of the Petitioner were without merit.

3. Learned counsel for the Petitioner and counsel for Respondents, on instructions from the Respondents, who are present in person, jointly propose and agree to the appointment of Mr. Justice G.S. Sistani, former Judge of this Court as the sole Arbitrator.

4. Accordingly, with the consent of the parties, Mr. Justice G.S. Sistani, former Judge of this Court (Mobile No. 9871300034) is appointed as the Sole Arbitrator to adjudicate the disputes between the parties. Arbitral proceedings will be held under the aegis of Delhi International Arbitration Centre ('DIAC'). Fee of the Arbitrator shall be fixed as per fee schedule under DIAC (Administrative Cost & Arbitrators' Fees) Rules 2018.

5. Learned Arbitrator shall give disclosure under Section 12 of the 1996 Act before entering upon reference.

6. It is made clear that this Court has not expressed any opinion on the merits of the case and all rights and contentions of the respective parties are left open.

7. Petition is disposed of in the aforesaid terms.

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8. This petition is filed on behalf of the Petitioner under Section 9 of the



1996 Act seeking the following interim reliefs:-

“a. pass an order directing the Respondents to secure the amount of Rs. 3,00,00,000/- and deposit the same with this Hon'ble Court.

b. Pass an order in favour of the Petitioner and against the Respondents restraining the Respondents from creating any third party interest, transferring, alienating, selling or parting with possession of the said property bearing no. G-5, South Extension, Part-II, New Delhi 110049.

c. pass ex-parte ad interim orders in terms of prayer (a) and (b) above;”

9. By order dated 12.03.2025, Court had restrained the Respondents from creating any third-party interest, transferring, alienating, selling or parting with possession of the subject property, till the next date of hearing. Interim order has continued till date.

10. In light of appointment of the sole Arbitrator, with the consent of the parties, learned Arbitrator is requested to consider this petition as an application under Section 17 of the 1996 Act. Since an interim order is operating, it is further requested that learned Arbitrator shall make every endeavor to consider the interim application as expeditiously as possible after entering upon reference. Needless to state it will be open to the Arbitrator, after hearing the parties on merits of the case, to continue, vacate, vary or modify the order, in accordance with law.

11. Interim order will continue till further order of the Arbitrator in this regard.

12. Record of this petition will be transmitted digitally by the Registry to the learned Arbitrator within three weeks from today.

13. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

AUGUST 28, 2025/YA/RW/shivam