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

+ **ARB.P. 595/2025**

**MR. KRISHNAN RAVICHANDRAN SOLE PROPRIETOR OF MR
CONSULTANTS AND ENGINEERS**Petitioner

Through: Mr. Vikas Goel, Mr. Ritesh Sharma,
Mr. Vivek Gupta, Ms. Deepali
Hooda, Mr. Wanglen Ngangom,
Advs.

versus

INDIAN POTASH LIMITEDRespondent
Through: Mr. Manish Kaushak, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

04.04.2025

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I.A. 8780/2025

Exemption is granted subject to all just exceptions.

The applicant(s) shall file legible and clearer copies of exempted documents, compliant with practice rules before the next date of hearing.

The application is disposed of.

ARB.P. 595/2025

1. This is a petition filed under Section 11(6) of Arbitration and Conciliation Act, 1996 seeking appointment of an arbitrator to adjudicate the disputes between the parties arising out of Work/Purchase Order dated 25.11.2022.
2. The arbitration clause is clause 10 of said Work which reads as under:

“10. ARBITRATION CLAUSE:

In the event of any dispute or difference in relation to this



Purchase Order, the same shall be referred at the written request of either party to a sole arbitrator to be appointed by Managing Director, Indian Potash Limited in accordance with the Arbitration and Conciliation Act, 1996. The venue of arbitration proceedings shall be at New Delhi: Any arbitration award made in such arbitration proceedings shall be final and binding on the parties.”

3. Even though the arbitrator was appointed earlier, the same was void ab initio by the judgment of ***Perkins Eastman Architects DPC & Ors. vs. HSCC (India) Ltd, (2020) 20 SCC 760.***
4. Thereafter, fresh notice invoking arbitration has been issued on 04.07.2024.
5. Issue notice.
6. Mr. Kaushak, learned counsel appears on behalf of the respondent, accepts notice and has no objection to the petition being allowed.
7. For the said reasons, the petition is allowed and the following directions are issued:-
 - i) Mr. Justice Najmi Waziri, (Retd.) (Mob. No. 9810097311) 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.
8. The present petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

APRIL 4, 2025/sp

Click here to check corrigendum, if any