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

+ **ARB.P. 649/2025**

LAKSHMI JAIN

.....Petitioner

Through: Mr. Devendra Nath Tripathi,
Advocate.

versus

MS ATS HOUSING PVT. LTD & ORS.

.....Respondents

Through: Ms. Rishika Agarwal, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

14.10.2025

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1. This petition is filed on behalf of the Petitioner under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of the Sole Arbitrator.

2. Disputes between the parties emanate from Loan Deed executed between the parties on dated 01.08.2016 for disbursement of loan facility of Rs.1,00,00,000/- out of which Rs.50,00,000/- has been refunded and the balance due according to the Petitioner is Rs. 50,00,000/-. Petitioner sent notice invoking arbitration on 20.01.2025 but the Respondents failed to respond and Petitioner then approached this Court. Learned counsel for the Petitioner submits that in a petition filed by the husband of the Petitioner herein being ARB. P. 724/2025 involving a similar dispute, Coordinate Bench of this Court on 13.08.2025 has appointed Mr. Harshit Aggarwal as the Sole Arbitrator and it would be in the interest of both parties if the same Arbitrator is appointed in this petition.



3. Counsel for the Respondents, on instructions, does not dispute the existence of Arbitration Clause 17 in the Loan Agreement, which provides for reference of dispute arising from the agreement to a Sole Arbitrator.
4. Accordingly, Mr. Harshit Aggarwal, Advocate is appointed as the Sole Arbitrator to adjudicate the disputes between the parties. Arbitration proceedings will be held under the aegis of Delhi International Arbitration Centre (DIAC) and as per its Rules. Fee of the Arbitrator shall be as per the DIAC (Administrative Cost and 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.

JYOTI SINGH, J

OCTOBER 14, 2025/YA