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

+ **ARB.P. 705/2025**

PLENTEOUS PHARMACEUTICALS LTDPetitioner

Through: Mr. Ishan S. Sharma, Mr. Ayush and
Ms. Shambhavi Sharma, Advocates.

versus

**RASHMI KUMARI (PROPRIETOR M/S MAHAVIR
ENTERPRISES)**Respondent

Through: Advocate (appearance not given)

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

24.07.2025

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1. The present petition has been filed by the petitioner seeking appointment of a Sole Arbitrator under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (hereinafter 'Act of 1996') in terms of the arbitration clause [Clause 25] contained in the Super Distributor Agreement dated 30th July, 2020, as amended on 31st December, 2020 and 29th April, 2022, entered into between the petitioner and the respondent/Ms. Rashmi Kumari, proprietor of M/s Mahavir Enterprises.
2. Notice in the present petition was issued on 6th May, 2025.
3. Counsel enters appearance on behalf of the respondent and seeks time to file reply.
4. Counsel appearing for the respondent does not dispute the existence of the arbitration clause. However, he submits that all amounts due to the petitioner have been paid.



5. In this view of the aforesaid position, it has been put to the counsel for the parties if the matter may be referred for mediation.
6. Both parties are willing to consider mediation and state that the present petition may be disposed of with a reference to the Delhi International Arbitration Centre ('DIAC'), *albeit* with the appointment of a Sole Arbitrator being deferred by eight weeks.
7. Accordingly, with the consent of the parties, the matter is referred for mediation to Delhi High Court Mediation and Conciliation Centre ('Mediation Centre').
8. List before the Mediation Centre on 30th July, 2025 at 3:00 P.M.
9. In the facts of this case, it is admitted by the parties that there exists a valid arbitration agreement and thus, the parties are referred to arbitration under the aegis of DIAC. However, keeping in view the reference to mediation, the DIAC is directed to appoint a Sole Arbitrator in the first week of October, 2025.
10. The parties and the Mediator are directed to conclude the mediation proceedings before 30th September, 2025. The report of the Mediator will be sent to the DIAC on or before 5th October, 2025.
11. It is directed that in case the parties have not settled the matter in the mediation proceedings by 30th September, 2025, the DIAC will proceed to appoint a Sole Arbitrator and constitute the arbitral tribunal by the first week of October, 2025, and the parties will appear before the DIAC on 9th October, 2025 at 3:00 P.M. for a preliminary hearing.
12. Needless to state, all pleas of the parties *qua* claims and counter-claims are left open and shall be considered in the arbitration proceedings.
13. With the aforesaid directions, the petition stands disposed of.



14. A copy of this order be sent to the Organising Secretary of the Mediation Centre and the DIAC for information and compliance.

15. The digitally signed copy of this order, duly uploaded on the official website of the High Court of Delhi, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of the order passed today shall be insisted for by any authority/entity or litigant.

AMIT BANSAL, J

JULY 24, 2025

Vivek/-