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

+ **ARB.P. 800/2025**

DR. ER. RAJAINDERR JAINA

.....Petitioner

Through: None

versus

NISHI MEHROTRA

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **10.11.2025**

1. This is a petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator for adjudication of disputes between the parties.
2. The facts are that the respondent took on license basis premises bearing No. RMT-209A, on the first floor of building known as Rajendras' Mahaveera Tower 1, situated on plot No. B-2, MMTC/STC Colony, Local Shopping Center, Geetanjali Enclave, New Delhi-110017, against the License Agreement dated 24.04.2003 ("**Agreement**"). The Agreement was executed with Dr. Er. Rajainderr Jaina, Proprietor of M/s Rajendras'.
3. The said Agreement contains an arbitration clause being Clause No. 37, which reads as under:-

"37. All disputes and differences arising out of this agreement touching to its constitution, interpretation or claim of any nature whatsoever shall be referred to the Sole Arbitrator at New Delhi, appointed by the Promoter/Builder and the



decision/award of the said Arbitrator shall be final and binding upon the parties. The arbitrator shall not be under any obligation to give a reasoned award. All other provisions of The Arbitration and Conciliation Act 1996 shall apply.”

4. Since disputes arose between the parties, the petitioner invoked arbitration through legal notice dated 24.01.2025 and thereafter, filed the present petition.
5. On the last date of hearing, as per order dated 25.08.2025, since there was no e-mail ID of the respondent available on record, the petitioner was required to furnish the email-ID of the respondent and serve the respondent through all modes including electronic.
6. However, not only there is nobody appearing on behalf of the petitioner but no email-ID of the respondent has been filed either. Additionally, the process fees filed by the petitioner is also under objection.
7. In view of the aforesaid, the present petition is dismissed for non-prosecution.

JASMEET SINGH, J

NOVEMBER 10, 2025/AS