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

+ **ARB.P. 874/2025**

M/S KAPOOR TENT AND CATERERSPetitioner

Through: **Mr. Shobhit Trehan, Advocate**

versus

**GOVERNMENT OF NATIONAL TERRITORY,
DELHI & ANR.**

.....Respondents

Through: **Mr. Anubhav Gupta, Advocate, Panel
Counsel (Civil), GNCTD**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

04.08.2025

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1. This petition under Section 11 of the Arbitration and Conciliation Act, 1996 [hereinafter the 'Act'], has been filed seeking appointment of an arbitrator for the adjudication of disputes between the parties.
2. It is the case of the petitioner that despite completion of the assigned work orders, the respondents are not disbursing the amount due.
3. The arbitration clause is given in Clause 16.2 of the General Terms and Conditions on GeM 4.0 (Version 1.10) dated 2nd May 2023. The petitioner sent the notice for the invocation of Arbitration under the said Clause on 25th April 2025. However, no reply was received by the petitioner.
4. On the last date of hearing, counsel for the respondent was asked to take instructions.
5. Counsel returned with instructions and states that he has no objection



to the appointment of an arbitrator, subject to the stipulation that all rights and contentions of the respondent shall remain open.

6. Accordingly, the present petition is allowed and the dispute between the parties under the Agreement is referred to the Arbitral Tribunal comprising a Sole Arbitrator. The following directions are issued in this regard:

a. Ms. Aditi Sabharwal, Advocate (Mobile No.: 9818133126, Email: aditi.sabharwal11@gmail.com), is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.

b. The Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference. In the event there is any impediment to the Arbitrator's appointment on that count, the parties are given liberty to file an appropriate application before this Court.

c. The remuneration of the Arbitrator shall be in terms of Schedule IV of the Act.

d. The parties shall approach the Arbitrator within two (2) weeks from today.

7. It is made clear that all the rights and contentions of the parties, including preliminary objections with regard to limitation and/ or arbitrability of any of the claims as well as claims/ counter-claims of either of the parties on the merits of the dispute including the defence of the respondent that no amount is due and payable to the petitioner, are left open for adjudication by the Arbitrator.

8. The petition stands disposed of in the aforesaid terms.

9. Pending applications, if any, stand disposed of.



10. Needless to state, nothing in this order shall be construed as an expression of this Court on the merits of the case.

AMIT BANSAL, J

AUGUST 4, 2025
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