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

+ **ARB.P. 991/2025**

MS. NISHI MEHRA

.....Petitioner

Through: Mr. Manan Sharma, Adv.

versus

**M/S WTC NOIDA DEVELOPMENT COMPANY PRIVATE
LIMITED**

.....Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

25.08.2025

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I.A. 20773/2025

Exemption allowed, subject to all just exceptions.

The application is disposed of.

I.A. 20772/2025

1. This is an application filed under section 151 of CPC, 1908 on behalf of the petitioner, seeking early hearing of the main petition in place of the fixed date of 13.10.2025.
2. The respondent has been served at its e-mail ID as shown at the Ministry of Corporate Affairs portal.
3. In the present case, I am satisfied that the respondent has been served and despite service of the early hearing nobody is appearing on behalf of the respondent.
4. For the said reasons, the application is allowed and the main petition



is taken up for early hearing.

5. The application is disposed of accordingly.

ARB.P. 991/2025

6. This is a petition filed under section 11 (6) of the Arbitration and Conciliation Act, 1996, ("**1996 Act**") for appointment of an Arbitrator to adjudicate the disputes between parties arising out of the Agreement dated 23.04.2014, pertaining to allotment of a space/unit in the tower named "Spire One," situated within the IT Project "World Trade Center Noida" at Greater Noida.

7. Even in the first petition for appointment of an Arbitrator under section 11 of the 1996 Act being ARB. P. 2048/2024, there was nobody appearing on behalf of the respondent and the Court appointed the learned Sole Arbitrator.

8. Thereafter, the learned Sole Arbitrator informed the parties about his ineligibility to continue with the arbitration proceedings for the reason that he is advising and appearing against the respondent company in *vide* e-mail dated 15.04.2025.

9. This Court *vide* order dated 17.07.2025 in the present petition, was pleased to direct that the present petition be treated as a petition under section 14 and 15 of the 1996 Act. The respondent has been served and despite service there is nobody appearing for the respondent.

10. For the said reasons, the petition is allowed and the following directions are issued:-

- i) Mr. Ishaan Sharma (Adv.) (Mob. No. 9555777622) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
- ii) The arbitration will be held under the aegis and rules 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.
11. The present petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

AUGUST 25, 2025/DM