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

+ **ARB.P. 1036/2025**

MR. SANDEEP KUMAR

.....Petitioner

Through: Mr. Ankit Jain, Sr. Adv., Mr. Mohit Gupta, Ms. Anisha Gupta, Mr. Vishal Saxena, Mr. Dhruv Mehta, Advocates

versus

INDIAN OIL CORPORATION LTD

.....Respondent

Through: Mr. Amit Meharia, Mr. Abinash Agarwal, and Mr. Sambhav (Advocates)

+ **ARB.P. 1038/2025**

MR. SANDEEP KUMAR

.....Petitioner

Through: Mr. Ankit Jain, Sr. Adv., Mr. Mohit Gupta, Ms. Anisha Gupta, Mr. Vishal Saxena, Ms. Navjot Kaur, Mr. Dhruv Mehta, Advocates

versus

INDIAN OIL CORPORATION LTD

.....Respondent

Through: Mr. Amit Meharia, Mr. Abinash Agarwal, and Mr. Sambhav (Advocates)

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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22.07.2025

I.A. 17051/2025 (Exemption) in ARB.P. 1036/2025

I.A. 17053/2025 (Exemption) in ARB.P. 1038/2025



Allowed, subject to all just exceptions.

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1. This Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator as per Clause 9.0.1.0 of the work orders dated 05.06.2020 and 08.06.2020 to adjudicate on the disputes which have arisen between the parties.
2. It is stated that under the said work orders, the Petitioner herein was to provide and operate transport vehicles to the Respondent herein. It is stated that the disputes have arisen between the parties due to non-payment of money. It is stated that Notice under Section 21 of the Arbitration Act was issued by the Petitioner on 12.12.2024 proposing the name of its nominee Arbitrator. It is stated that the said Notice has been replied to by the Respondent denying the existence of disputes between the parties. The Petitioner has, thereafter, approached this Court by filing the present Petition. It is stated by the learned Counsel for the Petitioner that the Arbitration Clause as well as the Tender Document specifically provides that this Court has the jurisdiction to entertain the present Petition.
3. Learned Counsel appearing for the Respondents states that the Respondents have no objection to the present Petition.
4. Learned Counsel appearing for the Respondent states that the Respondent has no objection to the present Petition.
5. In view of the fact that disputes have arisen between the parties and there is an arbitration clause in the Agreement, this Court is inclined to appoint an Arbitrator to adjudicate upon the disputes between the parties.
6. Accordingly, Ms. Varuna Bhandari Gugnani, Advocate (Mobile



No.9810400605) is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.

7. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

8. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the Arbitration & Conciliation Act within a week of entering on reference.

9. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

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

11. The present petitions are disposed of in the above terms along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

JULY 22, 2025

Rahul