



\$~1

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

+ **ARB.P. 1057/2025**

RISHI KAPOOR

.....Petitioner

Through: Mr. Anand Singh, Mr. S. Santanam
Swaminadhan, Mr. Kartik Malhotra
and Ms. Shreya Mansi James,
Advocates.
Mr. Rishi Kapoor (through VC).

versus

SYSTRA MVA CONSULTING (INDIA)

PVT. LTD. & ANR.

.....Respondents

Through: Mr. Saurabh Chaturvedi, authorized
representative of the respondents.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

02.09.2025

%

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter 'Act') seeking appointment of a Sole Arbitrator for adjudication of the disputes between the parties arising out of an Appointment Letter dated 17th July, 2017 issued by the respondent no.1 in terms of which the petitioner was appointed as 'General Manager – Finance' of the respondent no.1.
2. Counsel for the petitioner submits that the aforesaid Appointment Letter contains an arbitration clause, i.e. Clause 20, which provides for adjudication of any disputes arising between the parties by way of arbitration. The said arbitration clause is set out below:

ARB.P. 1057/2025

Page 1 of 3



“20. Any dispute difference whatsoever arising between the parties out of or relating to the construction, meeting, scope, operation or effect of this contract or the validity or the breach thereof shall be referred for arbitration to SMC IPL management or their nominees for decision thereon and the award made in pursuance thereof shall be binding on the parties. The arbitration shall be held in accordance with the provisions of the Arbitration and Conciliation Act, 1996 the venue of arbitration shall be Delhi and this contract shall remain enforceable at Delhi.”

3. He further submits that the respondents failed to pay Rs. 5,73,521/- towards Performance Variable Pay (PVP) to the petitioner.
4. Notice in the present petition was issued on 24th July, 2025.
5. Mr. Saurabh Chaturvedi, the authorized representative of the respondents, is present in Court and submits that the respondents will have no objection if a Sole Arbitrator is appointed in the present case.
6. Accordingly, the present petition is allowed and the dispute between the parties arising out of the aforesaid Appointment Letter is referred to the Arbitral Tribunal comprising of a Sole Arbitrator. The following directions are issued in this regard:
 - a. Ms. Surbhi Mehta (Mobile No.: +91 9023623691) 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. The Sole Arbitrator shall explore the possibility of a settlement between the parties before proceedings on the merits of the case.
8. It is made clear that all the rights and contentions of the parties, including preliminary objections with regard to 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.
9. The present petition stands disposed of in the above terms.
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

SEPTEMBER 2, 2025

Vivek/-