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

+ **ARB.P. 1064/2025**

MAY AND BAKER PHARMACEUTICALS LTD.Petitioner

Through: Mr. Ishaan S. Sharma, Mr. Shubham Shukla, Mr. Ayush, Ms. Shambhavi Sharma and Mr. Mukund Ranjan, Advocates.

versus

AKASH VERMARespondent

Through: Mr. Nikhil Mehta and Mr. Harsh Vikram Trivedi, Advocates.

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER
10.09.2025**

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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 disputes between the parties arising out of the Distributorship Agreement dated 25th April, 2022 entered into between the parties (hereinafter '**Agreement**') in terms of which the respondent was appointed as a distributor of the petitioner.

2. Counsel for the petitioner submits that the Agreement contains an arbitration clause in paragraph 25, which provides for adjudication of dispute arising between the parties by way of arbitration. Paragraph 25 of the Agreement is set out below:

"25. Any difference or dispute arising out of or in relation to anything



contained herein shall be referred to arbitration. The Arbitration shall be conducted in accordance with the Arbitration and Conciliation Act, 1996 or any statutory modification or re-enactment thereof for the time being in force. The place of arbitration shall be Delhi.”

3. Notice in the present petition was issued to the respondent on 25th July, 2025.
4. Counsel enters appearance on behalf of the respondent and submits that the parties may be referred for mediation.
5. Both parties are willing to explore the possibility of a settlement of their disputes by way of mediation and submit that the present petition may be disposed of with a reference to the Arbitral Tribunal comprising a Sole Arbitrator, *albeit* with the appointment of a Sole Arbitrator being deferred by twelve (12) weeks.
6. Accordingly, with the consent of the parties and without prejudice to their rights and contentions, the parties are referred for mediation to the Delhi High Court Mediation and Conciliation Centre (hereinafter, '**Mediation Centre**').
7. The parties along with their respective counsel shall appear before the Mediation Centre on 12th September, 2025 at 3:00 P.M.
8. In the facts of the present case, it is admitted by the parties that there exists a valid arbitration clause in the Agreement and thus 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. Mr. Pradeep Gahalot, Advocate (Mobile No.: +91 99100 04838) 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.
9. The Mediator is requested to conclude the mediation proceedings before 15th December, 2025
10. The parties shall approach the Arbitrator in the third week of December to apprise the Arbitrator of the status of the mediation proceedings. In the event the mediation proceedings between the parties are not successful till 15th December, 2025, the Sole Arbitrator shall commence the arbitration proceedings
11. Needless to state, all pleas of the parties *qua* claims and counter-claims are left open and shall be considered in the arbitration proceedings.
12. With the aforesaid directions, the petition along with pending applications, if any, stand disposed of.
13. Nothing in this order shall be construed as an expression of this Court on the merits of the case.
14. A copy of this order be sent to the Organising Secretary of the Mediation Centre for information and compliance.
15. The digitally signed copy of this order, duly uploaded on the official website of the High Court of Delhi, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of the order passed today shall be insisted for



by any authority/ entity/ litigant.

AMIT BANSAL, J

SEPTEMBER 10, 2025

Vivek/-