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

+ **O.M.P.(I) (COMM.) 296/2025**

FRANCHISE INDIA VENTURES PRIVATE LIMITEDPetitioner

Through: Mr. Sandeep Bajaj, Ms. Aakanksha Nehra, Mr. Ayush Jain, Mr. Mayank Biyani, Mr. Nakashvir Singh Aulakh, Mr. Shubham Jaiswal, Mr. Abul, Advocates.

versus

MI PILATES STUDIO DMCC & ANR.Respondents

Through: Mr. Govind Rishi, Advocate for R-1. Mr. Abhimanyu Chopra, Mr. Aman Chaudhary & Mr. Kushagra Jain, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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16.10.2025

1. The present petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (hereinafter the 'Act'), seeking an interim injunction against the respondents, from establishing new outlets in violation of the Master Franchise Agreement dated 5th November, 2024.
2. It is the case of the petitioner that the respondent no. 1 has wrongfully terminated the Master Franchise Agreement ('MFA') and is proceeding to appoint franchisees in India directly.
3. On the last date of hearing, counsel were to take instructions, whether the present petition under Section 9 of the Act can be converted into an



application under Section 17 of the Act, to be decided by the Arbitral tribunal, that may be appointed by this Court.

4. Mr. Sandeep Bajaj, counsel for the petitioner, had agreed to the said proposal.

5. Counsel for the respondent no. 1 has returned with instructions.

5.1. Without prejudice to the rights and contentions of the respondent no. 1, the respondent no. 1 is also agreeable to the same.

6. Accordingly, 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. Justice (Retd.) Shalinder Kaur, (Mobile No.: +91-9910384702) Former Judge of this Court is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.

b. The arbitral proceedings shall be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter '**DIAC**').

c. The remuneration of the Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.

d. 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.

7. The petitioner submits that he shall file a fresh application under Section 17 of the Act before the Arbitrator, within 10 days from today. The Arbitrator shall decide the same in an expeditious manner, after giving an



opportunity to the respondent no.1 to file a response.

8. In view of the fact that the petitioner and the respondent no. 1 have been referred for arbitration, the respondent no. 2 is deleted from the array of parties.

9. It is clarified that respondent no. 2 is not being referred for arbitration by this Court.

10. It is made clear that all the rights and contentions of the parties, including the arbitrability of any of the claims and/or counter claims, any other preliminary objection, as well as claims on merits of the dispute of either of the parties, are left open for adjudication by the Arbitrator.

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

12. 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

OCTOBER 16, 2025

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