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

+ **O.M.P.(I) (COMM.) 312/2025 & I.A. 18960/2025**

ORIENTAL ENTERPRISES PRIVATE LIMITEDPetitioner

Through: Mr. Aakashdeep Gupta, Advocate.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Dr. B. Ramaswamy, CGSC for UoI.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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19.08.2025

1. The present petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (hereinafter 'the Act').
2. Pursuant to the order passed by this Court on 8th August, 2025, Dr. B. Ramaswamy, CGSC appearing on behalf of the respondents, submits that the respondents are agreeable to the parties being referred for arbitration and would have no objection if this Court were to appoint an Arbitrator and refer the parties for arbitration under the aegis of DIAC.
3. Accordingly, the dispute between the parties under the Agreement dated 15th November, 2019 is referred to the Arbitral Tribunal comprising a Sole Arbitrator in terms of the arbitration clause [Clause 3200]. The following directions are issued in this regard:
 - a. Mr. Aasheesh Gupta, Advocate (Mobile No.: +91-9560284991), 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 the 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.
 - e. The parties shall approach the Arbitrator within two (2) weeks from today.
4. 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.
5. The statement given by Dr. B. Ramaswamy, CGSC, that the respondents shall not invoke the remaining bank guarantees of the petitioner, as recorded in the order dated 8th August, 2025 shall continue till appropriate orders are passed by the Arbitral Tribunal.
6. The petition stands disposed of in the aforesaid terms.
7. 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

AUGUST 19, 2025/at