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

+ ARB.P. 1190/2025

M/S ERA INFRA ENGINEERING LIMITEDPetitioner

Through: Mr. Anirban Bhattacharya, Ms. Suvangana Agarwal, Ms. Shikha Khurana and Mr. Rajeev Chowdhary, Advocates.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Sandeep Kumar Mahapatra, CGSC with Ms. Mrinmayee Sahu and Mr. Tribhuvan, Advocates for UOI.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

09.10.2025

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1. This petition is filed on behalf of the Petitioner under Section 11(6) of the Arbitration and Conciliation Act, 1996 ('1996 Act') for appointment of the Sole Arbitrator.
2. Disputes between the parties emanate from Contract Agreement dated 30.11.2012 pertaining to construction of new Operation Theatre Block and Services Blocks at Pandit B.D. Sharma Post Graduate Institute of Medical Sciences, Rohtak, Haryana. Disputes having arisen, Petitioner sent notice invoking arbitration dated 10.05.2025 under Clause 25 of the Contract Agreement dated 30.11.2012, to which there was no response from the Respondents.
3. Learned counsel for Respondents, on instructions, does not deny the existence of arbitration agreement *albeit* claims of the Petitioner are denied



on merits.

4. Accordingly, this petition is allowed appointing Mr. Justice Suresh Kumar Kait, former Chief Justice of Madhya Pradesh High Court (Mobile No. 8527115555) as the Sole Arbitrator to adjudicate the disputes between the parties. Arbitration proceedings will be held under the aegis of DIAC and as per its Rules. Fee of the Arbitrator shall be as per the DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.

5. Learned Arbitrator shall give disclosure under Section 12 of the 1996 Act before entering upon reference.

6. It is made clear that this Court has not expressed any opinion on the merits of the case and all rights and contentions of the respective parties are left open.

7. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

OCTOBER 9, 2025/YA