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

+ **ARB.P. 1206/2025**

KANWAR ENTERPRISES PVT LTD

.....Petitioner

Through: Mr. Rajiv Bakshi, Ms. Kajal Sharma
and Mr. Ram Pravesh Rai, Advocates.

versus

**DOOSAN POWER SYSTEMS INDIA PVT
LTD**

.....Respondent

Through: Mr. Gaurav Dudeja, Mr. Raghvendra
Pratap Singh and Mr. Abhijit Debnath, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

10.09.2025

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1. This petition is filed on behalf of the Petitioner for appointment of a Sole Arbitrator under Section 11(6) of Arbitration and Conciliation Act, 1996.
2. Learned counsel for the Respondent opposes the petition *inter alia* on the ground that the very invocation of arbitration is not in accordance with the Arbitration Clause 25 (g) of General Terms and Conditions (GTC) read with Special Terms and Conditions (STC) inasmuch as by the invocation notice dated 05.06.2025, Petitioner has sought appointment of a Sole Arbitrator, whereas the arbitration clause envisages appointment of a three-member Arbitral Tribunal to adjudicate the disputes between the parties, wherein each party nominates its Arbitrator and the nominated Arbitrators appoint the Presiding Arbitrator.



3. Learned counsel for the Petitioner, on instructions, seeks to withdraw this petition with liberty to invoke arbitration in consonance with Arbitration Clause 25 (g) of GTC read with STC.
4. This petition is accordingly disposed of as withdrawn, with liberty to the Petitioner as prayed for, in accordance with law.
5. It is made clear that this Court has not expressed any opinion on the merits of the case.

JYOTI SINGH, J

SEPTEMBER 10, 2025
Ch