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

+ **ARB.P. 1228/2025**

MUHAMMED SUMIN N S & ANR.Petitioners

Through: Mr. R.S. Lakshman and Ms. Asawari
Sodhi, Advocates.

versus

M/S DEVYANI INTERNATIONAL LTD.Respondents

Through: Mr. Lakshay Agarwal and Mr. Charis
Yadav, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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22.09.2025

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter 'the Act'), seeking appointment of a Sole Arbitrator for the adjudication of the disputes arising out of a Lease Deed dated 24th July, 2023 entered into between the parties.
2. Counsel for the petitioners states that the Lease Deed contains an arbitration clause, i.e. Clause 13, which provides for adjudication of any disputes arising between the parties by arbitration.
3. He further states that since there were disputes between the parties, the petitioners sent a notice dated 12th July, 2025 to the respondents under Section 21 of the Act, invoking the aforesaid arbitration clause.
4. Counsel appears on behalf of the respondents and does not object to the appointment of the Arbitrator.

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5. Counsel for the parties submit that Arbitration may be under the aegis of the DIAC.

6. Accordingly, the dispute between the parties under the Agreement are referred to the Arbitral Tribunal comprising a Sole Arbitrator. The following directions are issued in this regard:

a. Mr. Naveen Gupta, Advocate, (Mobile No.: 9312248478) 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.

e. It is made clear that all the rights and contentions of the parties, including preliminary objections with regard to limitation and/ or 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.

f. The parties shall approach the Arbitrator within two (2) weeks from today.



7. This will be without prejudice to the rights of the respondents to file counter claim.
8. The petition stands disposed of in the aforesaid terms.
9. All pending applications stand disposed of.
10. 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

SEPTEMBER 22, 2025

Vivek/-