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

+ **ARB.P. 1229/2025**

M/S ACTECH INFORMATION SYSTEM LTDPetitioner

Through: **Ms. Kirti Mewar, Advocate**

versus

SMALL FARMERS AGRIBUSINESS CONSORTIUM (SFAC)
.....Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **10.12.2025**

I.A. 30985/2025

1. The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed by the Petitioner for substitution of the learned Sole Arbitrator who was appointed *vide* Order dated 10.09.2025.
2. It is stated that the ARB.P. 1229/2025 was disposed of *vide* Order dated 10.09.2025, whereby a Sole Arbitrator was appointed to adjudicate upon the disputes between the parties to the present Petition.
3. In the instant Application, it is stated that the Sole Arbitrator so appointed informed the parties regarding his inability to enter into reference *vide* an email dated 06.10.2025. As such, it is stated that the Petitioner, in terms of the judgment of the Apex Court in HPCL Bio-Fuels Ltd. v. Shahaji Bhanudas Bhad, **2024 SCC OnLine SC 3190** the Petitioner is now precluded from filing a fresh petition under Section 11(6) of the Arbitration



and Conciliation Act, 1996.

4. Issue notice.
5. On taking steps, let a notice be issued to the Respondent through all permissible modes, including *Dasti*.
6. List on 13.01.2026.

SUBRAMONIUM PRASAD, J

DECEMBER 10, 2025

Prateek