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

+ **ARB.P. 1256/2025**

**M/S THERMAL ENGINEERS AND INSULATORS
PVT. LTD**

.....Petitioner

Through: Mr. Saurav Yadav, Advocate.

versus

GOVT. OF NCT DELHI

.....Respondent

Through: Ms. Rachita Garg and Mr. Agam
Rajput, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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13.10.2025

1. This petition is filed on behalf of the Petitioner under Section 11(6) of the Arbitration and Conciliation Act, 1996 ('1996 Act') seeking appointment of the Arbitrator.
2. Disputes between the parties arise from Contract Agreement dated 06.03.2023 pertaining to work of "Improvement of streets and side drains at T-A & B Block, Uttam Nagar, Delhi". Petitioner sent notice dated 19.06.2025 invoking Arbitration Clause 25.2 of modified General Conditions of Contract (GCC) for appointment of Sole Arbitrator, which stipulates that the Arbitrator(s) shall be Graduate Engineer with experience in execution of public works engineering contracts and should have worked earlier at a level not lower than the Chief Engineer (equivalent to level of Joint Secretary to the Government of India). There was no response to the notice.



3. Learned counsel for the Respondent, on instructions, does not dispute the existence of the Arbitration Agreement but joins the Petitioner in submitting that the Arbitrator be appointed keeping in mind the required educational qualification and work experience stipulated in Arbitration Clause 25.2. Claims of the Petitioner on merits are, however, disputed.
4. Accordingly, Mr. Arvind Kumar Arora (Mob. No. 8130588577), Director General, Military Engineering Services is appointed as the Sole Arbitrator to adjudicate the disputes between the parties. As agreed, fee of the Arbitrator shall be fixed as per Fourth Schedule of 1996 Act.
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 parties are left open.
7. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

OCTOBER 13, 2025
Ch