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

+ **ARB.P. 1279/2025**

ASHUTOSH SINGH GAUTAM

.....Petitioner

Through: Ms. Radhika Goel, Mr. Ashutosh
Kumar Mishra, Mr. Anjali Rawat,
Advs.

versus

M/S FIITJEE LIMITED

.....Respondent

Through: Mr. Goel, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

22.09.2025

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1. This is a petition filed under Section 11(4)(a) & (6)(a) of the Arbitration and Conciliation Act, 1996 seeking appointment of a Sole Arbitrator to adjudicate the disputes between the parties.
2. The brief facts of the case are that the petitioner joined the Mathematics Department of the respondent Institution as a Professor.
3. The terms of the engagement were contained in the Service Contract and the joining letter is dated 10.06.2023. The petitioner also signed the 'Code of Conduct for Employees for FITJEE Ltd' and 'Pay Allowance and Perquisites Policy of FITJEE Ltd'.
4. The said Service Agreement contains an arbitration clause, Clause No. 38(a), which reads as under:

“38(a) All disputes and differences of any nature with



regard to the FIITJEE service contract and the interpretation & adjudication of clauses and claims respectively shall be referred to the Sole Arbitrator appointed by the Company i.e., FIITJEE Ltd. The provisions of Arbitration and Conciliation Act, 1996 as amended upto date shall be applicable. The venue of the arbitration shall be Delhi/ New Delhi only.”

5. The services of the petitioner were terminated on 22.03.2025.
6. The petitioner invoked arbitration *vide* Legal Notice dated 15.05.2025 and thereafter filed the present petition.
7. Mr. Goel, learned counsel appears on behalf of the respondent and has no objection to the appointment of a Sole Arbitrator as long as all his rights, as well as claims/counter-claims, are left open to be adjudicated by the Sole Arbitrator.
8. For the said reasons, the petition is allowed with the following directions:
 - i) Mr. Manish Kumar (Advocate) (Mob. No. 9911008556) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - ii) The arbitration will be held under the aegis and rules of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the ‘DIAC’).
 - iii) The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators’ Fees) Rules, 2018.
 - iv) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.



- v) It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims/counter-claims and merits of the dispute of either of the parties, are left open for adjudication by the learned Arbitrator.
 - vi) The parties shall approach the learned Arbitrator within two weeks from today.
9. The present petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

SEPTEMBER 22, 2025/sp