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

+ **ARB.P. 1354/2025**

PANBAN TERRA DISTRIBUTIONPetitioner

Through: Mr. Randhir Kumar, Advocate.

versus

GLOBAL CONTRACT INTERIOR & ANR.Respondents

Through: Mr. K. V. Sriwas Narayanan & MS.
Khushboo, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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15.10.2025

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter 'Act') seeking appointment of a Sole Arbitrator for the adjudication of the disputes between the parties arising out of Memorandum of Understanding (MoU) and Non-Disclosure and Non-Circumvent Agreement dated 1st September, 2024 and Fees Protection Agreement dated 21st November, 2024 (hereinafter collectively referred to as 'Agreements').

2. Counsel for the petitioner submits that the Agreements contains a dispute resolution clause which provides for adjudication of disputes arising between the parties by way of arbitration. The aforesaid dispute resolution clause contained in the MoU is set out below:

"Dispute Resolution

Any dispute arising from this MOU will be resolved through mutual consultation and negotiation. If unresolved, the matter will be referred to arbitration in accordance with Governing Law and Jurisdiction of New Delhi courts."

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3. It is submitted that similar dispute resolution clause is contained in the remaining Agreements.
4. He further submits that since there were disputes between the parties, the petitioner issued notice dated 18th May, 2025 through email as well as through post on 22nd May, 2025 invoking the aforesaid clause contained in the Agreements under Section 21 of the Act. The aforesaid notice sent through email was duly served upon the respondents, however, no reply was received on behalf of the respondents.
5. Notice was issued in the present petition on 1st September, 2025.
6. On 9th October, 2025, counsel for the respondents entered appearance and sought time to take instructions if the respondents are willing to settle the dispute with the petitioner.
7. Counsel for the respondent has returned with instructions and submits that the respondents do not wish to explore settlement, however, they have no objection if an Arbitrator is appointed to adjudicate the dispute between the parties.
8. Accordingly, the dispute between the parties is referred to the Arbitral Tribunal comprising a Sole Arbitrator. The following directions are issued in this regard:
 - i. Mr. Jasbir Bidhuri, Advocate (Mob. No.: 9711224794) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - ii. The remuneration of the Arbitrator shall be in terms of Schedule IV of the Act.
 - iii. 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.

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

9. It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claims, and/ or counter claims, any other preliminary objection, as well as claims on merits of the dispute of either of the parties, are left open for adjudication by the Arbitrator.

10. The petition stands disposed of in the aforesaid terms.

11. 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

OCTOBER 15, 2025

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