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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB.P. 1726/2024**

M/S. SINGH FINLEASE PVT. LTD.Petitioner
Through: **Mr. Shiv Shankar, Advocate.**

versus
HEMLATA & ORS.Respondents
Through: **None.**

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

% **ORDER**
18.02.2025

1. By way of present petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter, referred to as the 'A&C Act'), the petitioner seeks constitution of an Arbitral Tribunal comprising of a Sole arbitrator, to adjudicate the disputes between the parties.
2. Learned counsel for the petitioner submits that the parties entered into a Loan Agreement dated 27.01.2020, Clause 21 of which provides for resolution of disputes through arbitration and further designates Delhi as the place of arbitration.
3. The petition is accompanied by notice invoking arbitration dated 09.09.2024 issued to the respondents under Section 21 of the A&C Act.
4. Learned counsel for the petitioner submits that respondents have been served and an affidavit of service has been filed in this regard. Accordingly, respondents are deemed to be served. Since neither the respondents are represented today nor any reply(s) has been filed on their behalf, it appears that the respondents have no objection to the reference of the disputes to the



Sole Arbitrator. In view of the above, the present petition is disposed of with the following directions: -

- i) The disputes between the parties under the said agreement are referred to the DIAC.
- ii) Accordingly, DIAC shall nominate the Sole Arbitrator to adjudicate the disputes between the parties.
- iii) The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the 'DIAC'). The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018 or as the parties may agree.
- iv) The learned Arbitrator shall 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 on the existence and validity of the Arbitration agreement, arbitrability of any of the claim/counter claim, any other preliminary objection, need and legality of interim relief, as well as contentions on merits of the dispute by 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.

MANOJ KUMAR OHRI, J

FEBRUARY 18, 2025/ga