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

+ O.M.P. (T) (COMM.) 101/2025 with I.A. 24832/2025

KAL GROUP PRIVATE LIMITED

.....Petitioner

Through: Ms. Monisha Handa and Mr. Krishna
Kumar, Advocates.

versus

MINDMILL SOFTWARE LIMITED

.....Respondent

Through: Mr. Kartik Nagarkotti and Mr.
Sanchit Gawri, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

08.10.2025

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1. The present petition has been filed under Sections 14 and 15 of the Arbitration and Conciliation Act, 1996, seeking a direction that the mandate of the Sole Arbitrator be terminated and a substitute independent Arbitrator be appointed to adjudicate the disputes between the parties.
2. Counsel appearing on behalf of the respondent on advance notice submits that without admitting in any manner to the averments made in the petition, the respondent would be agreeable for appointment of a substitute independent Arbitrator.
3. The counsel for the respondent shall file the Vakalatnama during the course of the day.
4. In view of the above, the mandate of Mr. Lalit Kumar, the Sole Arbitrator is hereby terminated.



5. Accordingly, Ms. Hitakshi (Mobile No.: +91 9911835108) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties and the following directions are passed:

- a. The Arbitration proceedings shall commence afresh.
- b. The Arbitrator shall adjudicate the disputes between the parties arising out of both the Lease Agreement dated 21st January, 2022 as well as Interior-cum-Maintenance Contract dated 13th December 2021.
- c. The arbitral proceedings shall be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter '**DIAC**').
- d. The remuneration of the Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.
- e. 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.
- d. The parties shall approach the Arbitrator within three (3) weeks from today.

6. It is made clear that all the rights and contentions of the parties, including 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.

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

8. All pending applications stand disposed of.



9. 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 8, 2025

Vivek/-