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

+ **ARB.P. 1619/2025**

M/S NUPUR FINVEST PRIVATE LIMITEDPetitioner

Through: Mr. Harshal Kumar, Adv.
versus

M/S AMFINE CAPITAL MANAGEMENT PRIVATE LIMITED

.....Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **26.11.2025**

Since there was a holiday on 25.11.2025, the matter is taken up for hearing today.

1. This is the petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator for adjudication of disputes between the parties.
2. The brief facts are that the respondent approached the petitioner to avail a loan of Rs. 75,00,000/- which was duly sanctioned *vide* Sanction Letter dated 11.06.2024 and Loan Agreement dated 13.06.2024.
3. The said Loan Agreement contains an arbitration clause being Clause No. 17, which reads as under:-

“17. Any conflict, difference, controversies or disputes arising between the parties hereto, shall be first resolved amicably by direct and informal negotiation. Unresolved disputes, if any, shall be submitted/ referred to the Arbitration of the Sole Arbitrator. The Lender will send a notice containing panel of 5 persons comprising of



retired Judges, Advocates having a minimum standing of 10 years at the Bar, Chartered Accountants having a minimum experience of 10 years, Company Secretaries having a minimum experience of 10 years, Cost Accountants having a minimum experience of 10 years or any other professional(s) of any recognized field having a minimum experience of 10 years, to the Borrower at their addresses mentioned in the loan documents. Out of this panel, the Borrower shall give its consent for anyone to be appointed as Sole Arbitrator to adjudicate the disputes between the parties. If the Borrower fails to give its consent within a stipulated period of 14 days from the date of receiving the aforesaid panel notice, it shall be deemed that the Borrower has given his/her/its express consent to the lender to appoint any one person in the panel to be appointed as the sole arbitrator. The Arbitration shall be conducted in accordance with the provisions of Arbitration & Conciliation Act, 1996 (as amended up to date) and Rules thereafter. The language of the Arbitration shall be English. The Venue of the Arbitration shall be at New Delhi. The decision/award of the Arbitrator shall be final/conclusive and binding on the parties.”

4. Since there were disputes between the parties, the petitioner invoked arbitration vide legal notice dated 27.05.2025 and thereafter, filed the present petition.
5. As per the master data from Ministry of Corporate Affairs website, the e-mail ID of the respondent is amfinecompliance@gmail.com.
6. As per the Affidavit of Service, the respondent has been served at the said e-mail ID. However, despite service there is nobody appearing on behalf of the respondent.



7. I am satisfied that there is a valid arbitration clause and disputes between the parties which need to be adjudicated through arbitral mechanism.

8. For the said reason, the petition is allowed, with the following directions:

- i) Ms. Rajni Anand, Advocate (Mob. No. 9891593401/ 9560257450) 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 petitioner shall approach the learned Arbitrator within two weeks from today.

JASMEET SINGH, J

NOVEMBER 26, 2025/DM