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

+ **ARB.P. 1623/2025**

CA SANDEEP ARORA AND ORS

.....Petitioners

Through: Mr. Kamaldeep Dayal, Mr. Shikhar
Khare, Mr. Utkarsh and
Ms. Bhanupriya Singh, Advocates

versus

M/S G R A N D M A R K AND

ASSOCIATES AND ORS

.....Respondents

Through: Ms. Gayatri Virmani, Advocate

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

08.10.2025

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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 disputes between the parties arising out of a Reconstituted Partnership Deed dated 20th January 2023 (hereinafter 'Deed').

2. In terms of the aforesaid Deed, the petitioners and the respondents no.2 to 19 became the partners in the respondent no.1 firm, being a firm of Chartered Accountants registered with the Institute of Chartered Accountants of India (ICAI).

3. The aforesaid Deed contains an arbitration clause, i.e. Clause 40. The said Clause is set out below:

"All disputes and differences of partners under any pretext in relation to or connected to or arising out of the partnership shall be resolved through arbitration through an arbitrator/ arbitrators



*appointed by the parties to dispute or difference in writing failing which jurisdictional High Court shall appoint the arbitrator or any manner as per the provisions of the Arbitration and Conciliation Act, 1996. The proceedings, appointment and all that related to arbitration shall be as per the provisions of Arbitration and Conciliation Act 1996 prevalent on the date of appointment or commencement of arbitration as the case may be. The decision of the arbitrator shall be final and binding on the parties. **The venue of the Arbitration shall be NCT of Delhi and jurisdiction of Courts in all matters shall be that of NCT of Delhi.***

4. Since there were disputes between the parties on account of the expulsion of the petitioners as partners of the respondent no.1 firm, the petitioners sent a notice dated 18th July 2025 to the respondents, invoking the aforesaid arbitration clause under Section 21 of the Act.
5. The respondents have duly replied to the aforesaid notice by reply dated 12th August 2025, rejecting the nomination of the arbitrator.
6. Issue Notice.
7. Notice is accepted by counsel appearing on behalf of the respondents.
8. Counsel for the respondents, who appears on advance notice, submits that they have no objection to the appointment of a Sole Arbitrator by this Court.
9. Both counsel jointly submit that Justice (Retd.) Rajiv Sahai Endlaw, Former Judge of this Court, be appointed as an Arbitrator to adjudicate the disputes between the parties.
10. Accordingly, Justice (Retd.) Rajiv Sahai Endlaw, Former Judge of this Court, is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - i. 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').

- ii. The remuneration of the Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.
 - 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 Arbitrator within two (2) weeks from today.
11. 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.
12. The petition stands disposed of in the aforesaid terms.
13. 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/ds