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

+ **ARB.P. 1641/2025**

**M/S VE COMMERCIAL VEHICLES LIMITED THROUGH ITS
AUTHORISED REPRESENTATIVE MS SWATI KUMARI**

.....Petitioner

Through: Mr. Manu Bajaj, Ms. Muskaan Gopal,
Mr. Sarthak Sharma & Ms. Meeta
Sharma, Advs.

Versus

M/S TAJ MOTORS THROUGH ITS SOLE PROPRIETOR MR

MOHAMMAD QAMAR KHAN & ANR.Respondents

Through: Ms. Rahman, Adv. (Appearance not
given)

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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26.11.2025

1. This is a petition filed under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator for adjudication of dispute between the parties.
2. The brief facts are that the petitioner and respondent No. 1, which is the proprietorship concern of respondent No. 2, entered into a Dealership Agreement dated 04.01.2021 on non-exclusive basis to operate a 2S Dealership at Itarsi, Madhya Pradesh. The respondents undertook the sale of spare parts of commercial vehicles manufactured by the petitioner and for providing related services.



3. The said Dealership Agreement contains an arbitration clause being Clause No. 34, which reads as under:-

“34) DISPUTE RESOLUTION AND JURISDICTION

The parties hereto shall endeavour to settle by mutual conciliation any claim, dispute, or controversy (“Dispute”) arising out of, or in relation to, this Agreement, including any Dispute with respect to the existence or validity hereof, the interpretation hereof, the activities performed hereunder, or the breach hereof Any dispute which cannot be so resolved through such conciliation within 30 days or such extended period as the parties may agree, shall be finally settled, by a panel of 3 (three) arbitrators of which one shall be appointed by each of the disputing parties, and the third Arbitrator will be jointly nominated by the arbitrators appointed by the disputing parties. In the event a disputing party fails to appoint an arbitrator to be appointed by it or if the 2 (two) arbitrators fail to agree on the appointment of the third arbitrator within a period of 15 days from the date of issue of a notice of dispute by one disputing Party to the other, then the arbitrator(s) shall be appointed pursuant to the provisions of the Arbitration and Conciliation Act 1996. The language of the arbitration proceedings shall be English. The place of Arbitration shall always be at Delhi. The Agreement shall be governed by the laws of India. Subject to clause 34.1, Parties agree, the Courts of Indore shall have exclusive jurisdiction.”

4. Since there were disputes between the parties, the petitioner invoked arbitration vide legal notice dated 23.07.2025 and thereafter, filed the



present petition.

5. Ms. Rahman, learned counsel appears for the respondents and states that she has no objection to the appointment of an Arbitrator.

6. However, she states that there is possibility that the matter can be settled amicably.

7. For the said reasons, the parties are referred to Pre-Lok Adalat and the parties shall appear before the Pre-Lok Adalat on 02.12.2025 at 02:30 PM.

8. In case the matter is not settled, it shall be referred to arbitration with the following directions:

- i) Mr. Iram Majid (Adv.) (Mob. No. 9873811531) 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 parties shall approach the learned Arbitrator within two weeks from today.

9. The learned Arbitrator shall enter reference after the Pre-Lok Adalat



concludes its proceedings and no settlement is achieved between the parties.

10. The present petition is disposed of in aforesaid terms.

JASMEET SINGH, J

NOVEMBER 26, 2025/DM