



\$~7

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

+ **ARB.P. 1674/2025 & I.A. 25471/2025**

AXIS FINANCE LIMITEDPetitioner
Through: **Ms. Mamta Kumari, Advocate**

versus

SUBRAT TRIPATHYRespondent
Through:

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

% **ORDER**
01.12.2025

I.A. 25471/2025 (condonation of delay of 139 days in filing the arbitration petition)

1. This application has been filed by the petitioner seeking condonation of delay of 139 days in filing the present petition.
2. For the reasons stated in the application, the same is allowed.
3. The delay in filing the present petition is condoned.
4. Application stands disposed of accordingly.

ARB.P. 1674/2025

5. This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 [hereinafter 'the Act'], seeking appointment of a Sole Arbitrator for adjudication of the disputes between the parties arising out of Loan Agreement bearing No. 0456PLA00005447 dated 30th November, 2020 entered into between the petitioner and the respondent.
6. Counsel for the petitioner submits that the Agreement contains an



arbitration clause, *i.e.* Clause 14, which provides for adjudication of disputes arising between the parties by way of arbitration.

7. Counsel for the petitioner further submits that since there were disputes between the parties, the petitioner sent several notices including the notice dated 21st June, 2024 to the respondents invoking the aforesaid arbitration clause under Section 21 of the Act.

8. The respondent failed to respond to the aforesaid notices.

9. Notice was issued in the petition on 21st June, 2024 and thirty days' time was granted to the respondent to file a reply.

10. No reply has been filed on behalf of the respondent.

11. Accordingly, the dispute between the parties under the Agreement is referred to the Arbitral Tribunal comprising a Sole Arbitrator. The following directions are issued in this regard:

- i. Ms. Shruti Munjal, Advocate (Mobile No. +91-9818080077) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - ii. 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.
 - iii. The remuneration of the Arbitrator shall be in terms of Schedule IV of the Act.
 - iv. The parties shall approach the Arbitrator within two (2) weeks from today.
12. 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 objections as well as claims on merits of the dispute of either of the parties, are left open for adjudication by the Arbitrator.

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

14. 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

DECEMBER 1, 2025
ds