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

+ **ARB.P. 1721/2025**

PKG GLOBAL INFRA PROJECTS PVT. LTD.Petitioner

Through: Mr. Avinash Trivedi, Advocate with
Mr. Rahul Aggarwal, Advocates.

versus

HSCC (INDIA) LIMITED & ANR.Respondents

Through: Mr. Debarshi Bhadra, Advocate for
R-1.

Mr. Rishabh Kapur and Mr. Tanmay
Gupta, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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08.12.2025

1. This petition has been filed under Section 11 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 an agreement bearing no. HSGC/PGCIL/Dwarka/2017 (hereinafter 'Agreement').
2. The petitioner was declared as a successful bidder by the respondent no.1 for the construction and maintenance of residential quarters and transit camp at Dwarka, New Delhi.
3. The aforesaid Agreement contains an arbitration clause, i.e. Clause 25 of the General Clauses and Conditions (GCC), which provides for adjudication of disputes by way of arbitration.



4. Since there were disputes between the parties, the petitioner sent several notices including the notice dated 20th January, 2025, 10th February, 2025, 11th March, 2025 and 19th April, 2025 to the respondent invoking the aforesaid arbitration clause under Section 21 of the Act.
5. The respondent failed to appoint an Arbitrator for adjudication of the disputes between the parties.
6. In these circumstances, the petitioner has been constrained to approach this Court by way of the present petition.
7. Notice in the present petition was issued on 16th October 2025 and four (4) weeks' time was granted to the respondent to file a reply.
8. No reply has been filed on behalf of the respondent.
9. Counsel for the respondents no.1 to 2 submit that they have no objection to the appointment of an Arbitrator.
10. I am satisfied that there exists a valid arbitration agreement and there are disputes which need to be adjudicated through arbitral mechanism.
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:
 - a. Justice (Retd.) G.S. Sistani, Former Judge of this Court, (Mobile No.: +91-9871300034) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - b. 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').
 - c. The remuneration of the Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.



- d. 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.
- e. 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. All pending applications stand disposed of.
15. 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 8, 2025/RK