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

+ **ARB.P. 1795/2025 & I.A. 26724/2025**

M/S YAZDANI STEEL AND POWER LIMITEDPetitioner

Through: **Ms. Anjuman Tripathy and Mr. Navdeep Singh, Advocates**

versus

UNION OF INDIA & ANR.Respondents

Through: **Mr. Jaswinder Singh, Advocate**

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

17.11.2025

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1. This Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator to adjudicate on the disputes which have arisen between the parties under the Coal Block Development and Production Agreement dated 17.08.2022.

2. It is stated that under the said Agreement, the Petitioner was allocated 'Bankhui Coal Mine' in Odisha and the Petitioner herein was to conduct mining operations in the said Mine. It is stated that disputes have arisen between the parties regarding in completion of milestone-1 and issuance of Show Cause Notices by the Respondent to the Petitioner invoking the Performance Bank Guarantee and delay and other factors. A notice dated 23.07.2025 under Section 21 of the Arbitration and Conciliation Act, 1996, was sent by the Petitioner to the Respondents invoking Arbitration under Clause 27 of the Agreement which is a Dispute Resolution Clause. It is stated by the learned Counsel for the Petitioner that the Respondents have not replied to the said Notice and about Rs.59 lakhs is due and payable by the Respondents. It is further stated that the Petitioner herein filed a Petition



under Section 9 of the Arbitration Act before the learned District Judge (Commercial), Patiala House Court, New Delhi, and the same is pending. The Petitioner has approached this Court by filing the present Petition seeking appointment of an Arbitrator.

3. In view of the fact that disputes have arisen between the parties and there is an arbitration clause in the Agreement, this Court is inclined to appoint an Arbitrator to adjudicate upon the disputes between the parties.

4. Accordingly, Mr. Swaroop George, Advocate (Mob: 9871144284) is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.

5. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

6. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the Arbitration & Conciliation Act within two weeks of entering the reference.

7. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

8. Needless to say, nothing in this order shall be construed as an expression on the merits.

9. The present petition stands disposed of in the above terms along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

NOVEMBER 17, 2025/Prateek