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

+ **ARB.P. 1939/2024**

**PHARMACEUTICAL AND MEDICAL DEVICES BUREAU OF
INDIA (PMBI) ERSTWHILE - BUREAU OF
PHARMA PUBLIC**

.....Petitioner

Through: Ms. Theepa Murugesan, Mr. A.K.
Pandey, Mr. Kaushal Kishor, Ms.
Sanya Bhatia, Mr. Yogesh Kumar
Dubey, Advocates.

versus

NOBLE REMEDIES

.....Respondent

Through: Mr. Saurabh, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

06.08.2025

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1. This petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 [hereinafter 'the Act'], seeking appointment of a Sole Arbitrator for adjudication of disputes between the parties.

2. The arbitration clause is clause XXII of the Distributorship Agreement dated 6th January, 2017. The said arbitration clause in the agreement is set out below:

“(xxii) In the event of any dispute or difference between the parties arising out of or in connection with or in relation to this agreement, the same shall be referred to the sole arbitrator of CEO, PMBI or his nominee and his decision shall be final and binding on both the parties. The provisions of Arbitration and Conciliation Act, 1996 shall apply.”

3. Counsel for the respondent submits that he has no objection if an Arbitrator is appointed in the present case.

4. In terms of the above, the present petition is allowed and the dispute



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

- a. Mr. Shikhar Mittal, Enrolment No.: D/1488/2015 (Mobile No.: +91 9717671403), who is present in Court, is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - b. 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.
 - c. The remuneration of the Arbitrator shall be in terms of Schedule IV of the Act.
 - d. The parties shall approach the Arbitrator within two (2) weeks from today.
5. It is made clear that all the rights and contentions of the parties, including preliminary objections with regard to limitation and/ or arbitrability of any of the claims as well as claims/ counter-claims of either of the parties on the merits of the dispute including the defence of the respondent that no amount is due and payable to the petitioner, are left open for adjudication by the Arbitrator.
6. The present petition stands disposed of in the above terms.
7. 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

AUGUST 6, 2025/at