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

+ **ARB.P. 1951/2025**

M/S KL ARORA CONSTRUCTION PVT LTD

.....Petitioner

Through: Mr. Sumit Kalra, Ms. Yashika
Malhotra, Ms. Anisha Arora and Mr.
Hari Arora, Advocates

versus

PUBLIC WORKS DEPARTMENT & ANR.

.....Respondents

Through: Mr. Anubhav Gupta, Panel Counsel
(Civil), GNCTD.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **20.11.2025**

I.A. 28959/2025 (Exemption)

Allowed, subject to all just exceptions.

ARB.P. 1951/2025

1. The present petition has been filed under Section 11(5) & (6) of the Arbitration and Conciliation Act, 1996 by the Petitioner seeking appointment of an Arbitrator to adjudicate upon the disputes which have arisen between the parties under a work which was awarded by the Respondents to the Petitioner for "construction of remodelling of drain at Patparganj Road from Nirman Vihar Red Light to Disused Canal Road". Thereafter, an Agreement was executed between the parties on 15.02.2022.

2. Disputes arose between the parties regarding non-payment of dues by the Respondents. It is the case of the Petitioner that the Petitioner sent a letter dated 26.12.2023 to the Respondents seeking release of outstanding



payment of Rs.1,71,27,492/-. It is stated that the Petitioner also sent several reminders to the Respondents, however, the same was not settled. Thereafter, a notice dated 02.04.2025 under Section 21 of the Arbitration and Conciliation Act, 1996 was sent by the Petitioner to the Respondents invoking Arbitration under Clause 25 of the Agreement and claiming a sum of Rs. 3,19,29,080.00/- which according to the Petitioner is due and payable by the Respondents.

3. Mr. Anubhav Gupta, learned Counsel, enters appearance on behalf of the Respondent.

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

5. Accordingly, Mr. Rakesh Kumar Agrawal, Former SDG, CPWD (Mob. No: 7542030167) is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.

6. 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.

7. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the 1996 Act within two weeks of entering on reference.

8. 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.

9. Needless to say, nothing in this order shall be construed as an



expression of this Court on the merits of the contentions of the parties.

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

SUBRAMONIUM PRASAD, J

NOVEMBER 20, 2025

S. Zakir