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

+ ARB.P. 2016/2025

TEQ GREEN (JP) POWER XXXI PRIVATE LIMITED
FORMERLY KNOWN AS JAKSON POWER PRIVATE LIMITED

.....Petitioner

Through: Mr. Divyam Agarwal, Ms. Shalini
Sati Prasad and Mr. Pranav Nayar,
Advs.

versus

VIKRAM SOLAR LIMITED (FORMERLY KNOWN AS VIKRAM
SOLAR PRIVATE LIMITED)Respondent

Through: Mr. Arvind Nayar, Sr. Adv. with Ms.
Swekcha, Mr. Akshay Joshi and Ms.
Monika Tyagi, Advs.

Mr. Tarang Gupta and Ms. Shreya
Sharma, Advs.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **02.12.2025**

I.A. 30020/2025 (Exemption)

Allowed, subject to all just exceptions.

ARB.P. 2016/2025

1. The present petition has been filed under Section 11(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 the Sale Purchase Agreement dated 06.08.2012 (*hereinafter referred to as "Agreement"*).

2. Material on record indicates the Petitioner was awarded a contract by the NTPC Vidyut Vyapar Nigam for two 10 MW (AC) solar power projects



in Rajasthan and thereafter, the aforesaid Agreement was entered into between the Petitioner and the Respondent. Dispute arose between the parties regarding underperformance and sub-standard quality of supplied modules.

3. Clause 14 of the Agreement contains an arbitration clause. A notice under Section 21 of the Arbitration and Conciliation Act, 1996 was sent by the Petitioner to the Respondent invoking arbitration on 30.09.2025 and vide the said notice, consent of the Respondent was also sought for appointment of an Arbitrator. A reply to the said notice was received by the Respondent on 27.10.2025 declining the consent.

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, Justice Anil R. Dave, Former Judge of the Supreme Court of India (Mob. No: 9560309393) 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

DECEMBER 2, 2025

S. Zakir