



\$~10

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

+ **ARB.P. 2113/2024**

M/S. SINGH FINLEASE PVT. LTD.Petitioner

Through: Ms. Pragya Verma and Mr. Mayank
Kumar Verma, Advs.

Mr. Murari Kumar, Adv.

versus

MR. SUDAN SINGH & ANR.Respondent

Through: Mr. Shivansh Srivastava. Adv

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

06.08.2025

%

1. This is a petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator for adjudication of disputes between the parties.
2. The brief facts of the case are that the petitioner and the respondents entered into a Loan Agreement dated 26.05.2023, wherein the respondent Nos. 1 and 2 (principal borrower and co-borrower respectively) availed a sum of Rs. 30 Lakhs as loan. Since there were defaults, the petitioner sent a notice for termination of loan facility of Rs. 30 Lakhs and demanded outstanding payments on 24.10.2024. However no payments were made, due to which the petitioner sent a notice invoking arbitration as per Clause 21 of the said Loan Agreement on 18.11.2024 and thereafter filed the present petition.
3. The parties also went to mediation which has failed.
4. Mr. Srivastava, learned counsel for the respondent, states that he has filed a reply, but, the same is not on record.
5. However, all the disputes raised in the reply are stated to be on merits



which, to my mind, will be within the domain of the learned arbitrator to decide.

6. *Prima Facie*, I am satisfied that a valid Arbitration Agreement exists and there are disputes subsisting between the parties.
7. For the said reasons, the petition is allowed and the following directions are issued:-
 - i. Mr. Pritesh Sabharwal, Advocate (Mob. No. 9871878690) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - ii. The arbitration will be held under the aegis and rules of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (hereinafter, referred to as the 'DIAC').
 - iii. The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.
 - iv. The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
 - v. It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims/counter-claims and merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.
 - vi. The parties shall approach the learned Arbitrator within two weeks from today.



8. The present petition is disposed of in the aforesaid terms

AUGUST 6, 2025 / (MS)

JASMEET SINGH, J