



\$~1

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

+ **ARB.P. 26/2025**

RV SOLUTIONS PVT. LTDPetitioner

Through: **Mr. Ankit Miglani, Adv.**

versus

PATEL DHRUV MUKESHKUMARRespondent

Through:

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

06.03.2025

%

1. This petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (**'A&C Act'**) to appoint a Sole Arbitrator to adjudicate the disputes between the parties, basis agreement dated 29th September 2022 executed between the parties. The arbitration clause is contained in *Clause 14* of the said agreement providing for arbitration as the mechanism for resolution of disputes. The jurisdiction, as per the agreement, is of the Courts in New Delhi.

2. The legal notices were sent by the petitioner dated 22nd October 2024 and subsequently on 26th November 2024. The said notice was dispatched through courier but was returned as being '*unserved*'. Affidavit of service has been filed by counsel for petitioner stating that the service has been done through email to the respondent.

3. Pursuant to notices issued, service report by the Registry notes that respondent has been served through E-mail, this also affirmed by the



affidavit of services which has been filed.

4. The speed-post however was unserved. In view of the same, no one appears on behalf of respondent.

5. For the said reasons, the petition is allowed. Since the parties are still having disputes between them, the following directions are issued:

i) *Ms. Manini Brar, Advocate* (Mob: 9205591340) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.

ii) The arbitration will be held under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi ('**DIAC**'). The remuneration of the learned Arbitrator shall be in terms of DIAC terms.

iii) The Sole Arbitrator is requested to furnish a declaration in terms of Section 12 of the A&C Act prior to entering into the reference.

iv) It is made clear that all the rights and contentions of the parties, including the arbitrability/maintainability of any of the claim, any other preliminary objection, as well as claims on merits of the dispute by either of the parties are left open for adjudication by the Sole Arbitrator.

v) The parties shall approach the Sole Arbitrator within two weeks from today.

6. The petition is accordingly, disposed of.

7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MARCH 6, 2025/ak/na