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

+ **ARB.P. 540/2025 and I.A. 7744/2025**

M/S ANH TECHNOLOGIES PRIVATE LIMITEDPetitioner

**Through: Ms. Rashi Anand and Ms. Jasleen
Kaur, Advocates.**

versus

CKOSMIC HEALTH CITY

.....Respondent

**Through: Mr. Tushar Swami and Ms. Sweta
Rani, Advocates.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

25.04.2025

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1. This petition is preferred on behalf of the Petitioner under Section 11(6) of the Arbitration and Conciliation Act, 1996 ('1996 Act') seeking appointment of a Sole Arbitrator to adjudicate the disputes between the parties.
2. Petitioner and Respondent entered into and executed an Agreement dated 31.03.2013, whereby Petitioner agreed to facilitate 'Claim Desk Management' to the Respondent for facilitating the reimbursement facilities to the patients from insurance companies in respect of medical treatments. Dispute arose between the parties on some outstanding payments and invoking Arbitration Clause 16 in the Agreement, Petitioner sent a notice dated 07.10.2024 to the Respondent to appoint a Sole Arbitrator. Respondent sent a reply but did not address the issues raised and Petitioner filed the present petition.

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3. Learned counsel appearing on behalf of the Respondent, on instructions, does not dispute the existence of the Arbitration Agreement but refutes the averments and the allegations on the merit of the alleged outstanding dues and other issues. It is settled that while examining a petition under Section 11(6) of 1996 Act, the scope and ambit of jurisdiction of this Court is confined to ascertaining the existence of the Arbitration Agreement.

4. Accordingly, with the consent of the parties, petition is allowed. The Coordinator, Delhi International Arbitration Centre ('DIAC') is requested to appoint an Arbitrator to adjudicate the disputes between the parties. Arbitration proceedings will be held under the aegis of DIAC and as per its Rules. Fee of the Arbitrator shall be as per the DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.

5. Learned Arbitrator shall give disclosure under Section 12 of the 1996 Act before entering into reference.

6. It is made clear that this Court has not expressed any opinion on the merits of the case and all rights and contentions of the respective parties are left open.

7. Petition is disposed of.

8. Copy of this order be sent to DIAC for information and compliance.

JYOTI SINGH, J

APRIL 25, 2025/YA

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