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

+ **ARB.P. 192/2026**

GIRISH DIXIT

.....Petitioner

Through: **Mr. Rameshwar Singh Rana and Ms.
Sandhi Bela Gupta, Advs.**

versus

SAGAR SHARMA & ANR.

.....Respondents

Through: **Mr. Vaibhav Kush, Adv. for R-1 and
R-2.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

05.05.2026

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1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter 'the Act') seeking appointment of an Arbitrator to adjudicate the dispute between the parties arising out of partnership deed dated 02.11.2021.
2. The partnership deed provides for resolution of disputes by arbitration. Clause 11 of the partnership deed is an arbitration clause.
3. The clause also provides that the seat and venue of the arbitration shall be at Delhi.
4. The dispute having arisen between the parties, the petitioner invoked arbitration *vide* a communication dated 10.11.2025, which did not elicit any response. Thus, the petitioner was constrained to file the present petition under Section 11 of the Act.
5. Notice in the petition was issued *vide* order dated 28.01.2026,



however, the service report of the Registry reveals that the respondents were unserved, therefore, fresh notice was again issued on 20.04.2026.

6. Mr. Vaibhav Kush, Advocate has entered appearance on behalf of the respondent nos.1 and 2. He submits that the existence of arbitration clause is not in dispute.

7. At the stage of proceedings under Section 11(6) of the Act, the Court is only required to satisfy itself, *prima facie*, as to the existence of the arbitration agreement. All other questions are to be left to the determination of the learned Arbitrator.

8. As there is no dispute with regard to the existence of the arbitration clause, the petition is allowed and the dispute is referred to arbitration of Ms. Priti, Advocate; Enrl. No. D/1964-B/2008 [Mob. 9990209294].

9. The arbitration will be held under the aegis of Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi – 110003 [“DIAC”] and shall be governed by the Rules of DIAC including as to the remuneration of the learned Arbitrator.

10. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Act prior to entering upon the reference.

11. It is made clear that all rights and contentions of the parties are left open for adjudication by the learned Arbitrator.

12. Petition stands disposed of.

VIKAS MAHAJAN, J

MAY 5, 2026
N.S. ASWAL