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

\# **CNR No. DLHC010055352026**

\+ ARB.P. 304/2026

MS UOLO EDTECH PVT LTD .....Petitioner

Through: Mr. Mohd. Irshad, Advocate.

versus

KIRAN BALA PROPRIETOR BANSAL BOOK .....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% 12.10.2026

I.A. 4248/2026 *(for exemption)*

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

ARB.P. 304/2026

1. By way of the present petition, filed under Section 11 of the Arbitration and Conciliation Act, 1996 [hereinafter "the Act"], the petitioner seeks the appointment of an arbitrator to adjudicate the disputes arising between the parties under a Distributor Agreement dated 20.02.2024 [hereinafter "the Agreement"].

2. It is the petitioner's case that, under the Agreement, the respondent, through her proprietorship concern, Bansal Book, was appointed as the distributor for the petitioner's project.

3. The Agreement contains an arbitration clause, being Clause D(1), which provides for the adjudication of disputes by a Sole Arbitrator and

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designates Delhi as the venue and seat of arbitration.

4. Disputes having arisen between the parties, the petitioner invoked arbitration by way of a legal notice dated 28.10.2025. As the notice failed to elicit any response from the respondent, the petitioner has approached this Court by way of the present petition.

5. Notice was issued in the petition on 16.02.2026, followed by fresh notices on 06.05.2026 and 29.07.2026. Although the office noting records that service by ordinary post was unsuccessful and that the report regarding service by speed post was awaited, the Registry confirmed that notice had been served by email. Significantly, the email address mentioned in the memo of parties, i.e. manojbansal5577@gmail.com, is also reflected in the Agreement.

6. Further, Mr. Mohd. Irshad, learned counsel for the petitioner, has placed on record an affidavit of service dated 31.08.2026, which records that the petition was served upon the respondent by speed post on 22.08.2026 and by email at the aforesaid address on 31.08.2026. In these circumstances, no useful purpose would be served by awaiting the respondent's appearance any further.

7. The documents placed on record *prima facie* establish that the parties entered into an arbitration agreement and that the petitioner duly invoked the same. Despite service of notice, the respondent has neither entered appearance nor controverted the petitioner's submissions.

8. In view of the above, the petition is disposed of by referring the disputes between the petitioner and the respondent to arbitration under the aegis of the Delhi International Arbitration Centre, Delhi High Court, Shershah Road, New Delhi – 110503 ["DIAC"]. DIAC is requested to

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nominate an Arbitrator from its panel.

9. The arbitral proceedings shall be conducted in accordance with the DIAC Rules, including the provisions governing the remuneration of the learned Sole Arbitrator.

10. The learned Sole Arbitrator is requested to furnish the requisite declaration under Section 12 of the Act before entering upon the reference.

11. Since the respondent has not entered appearance in the present proceedings, it is clarified that she shall be duly served with notice of the arbitral proceedings in accordance with the DIAC Rules.

12. It is clarified that this Court has not examined the merits of the disputes. All rights and contentions of the parties are left open for consideration and adjudication by the learned Sole Arbitrator. The averments made in the petition shall not be construed as admitted by the respondent merely on account of her non-appearance.

PRATEEK JALAN, J

OCTOBER 12, 2026
SS/SD/

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