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

\# **CNR No. DLHC010077282026**

\+ ARB.P. 373/2026

AAKASH EDUCATIONAL SERVICES LIMITED .....Petitioner

Through: Mr. Pranav Proothi, Ms. Nimisha, Advocate.

versus

SHESH MANI MISHRA .....Respondent

Through: Mr. M Srinivas R. Rao, Mr. Saswat Adhyapak, Ms. Namita Kumari, Advocates.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% 29.10.2026

1. By way of this petition, under Section 11(6) of the Arbitration and Conciliation Act, 1996 ["the Act"], the petitioner seeks appointment of an Arbitrator to adjudicate the disputes between the parties under an Appointment Letter dated 06.01.2025 ["the Letter"], read with the Employment Terms & Conditions of Service ["the Terms & Conditions"] contained in a separate document of the same date.

2. I have heard Mr. Pranav Proothi, learned counsel for the petitioner, and Mr. M Srinivas R. Rao, learned counsel for the respondent.

3. The Terms & Conditions admittedly include a provision [Clause 10.2.1] for adjudication of disputes by a sole arbitrator, with the proceedings to be conducted in Delhi. Courts in Delhi have also been vested with exclusive jurisdiction under the Terms & Conditions.

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4. Disputes having arisen between the parties, the petitioner invoked arbitration *vide* communication dated 27.12.2025, asserting a claim of approximately Rs. 41,59,223/-. In the respondent's reply dated 11.01.2026 thereto, the existence of the arbitration clause was not disputed, but a suggestion was made for mutual resolution of the disputes.

5. Learned counsel for the parties submit that in virtually identical circumstances arising out of a similar employment agreement between the petitioner and another employee, this Court has appointed an arbitrator *vide* order dated 21.09.2026 in ARB.P.506/2026. It is submitted that a similar order may be passed in the present petition, leaving all rights and contentions of the parties open for adjudication before the Arbitrator. Learned counsel for the parties, in fact, specifically seek a reference to the same Arbitrator who was appointed in the aforesaid order.

6. In view of the above and with the consent of learned counsel for the parties, the petition is disposed of with the following directions:

a. Mr. Chitransh Sharma, Advocate [Tel: 9893195602] is appointed as the arbitrator to adjudicate the disputes between the parties under the Letter and the Terms & Conditions.

b. The arbitration will be held under the aegis of Delhi International Arbitration Centre ["DIAC"] and will be governed by the Rules of DIAC, including as to remuneration of the learned Arbitrator.

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

7. Needless to say, all rights and contentions of the parties, including those relating to the arbitrability and maintainability of the claims and the

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merits of the disputes, are left open for adjudication by the learned Arbitrator.

8. The petition stands disposed of in the above terms.

PRATEEK JALAN, J

OCTOBER 29, 2026
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