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

+ ARB.P. 509/2026, I.A. 7858/2026 & I.A. 7859/2026

MS GOLDEN CHARIOT HOSPITALITY SERVICE PVT
LTD

.....Petitioner

Through: Mr. Sandeep Bajaj, Mr. Soayib
Qureshi, Mr. Aman Qayoom Wani &
Mr. Mayank, Advs.

versus

DELHI METRO RAIL CORPORATION LTD

.....Respondent

Through: Ms. Rhea Verma, Adv.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

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29.04.2026

1. The present petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for appointment of an arbitrator.
2. The brief facts are that the respondent allotted commercial premises at Anand Vihar Metro Station to the petitioner through a letter of acceptance, later amended, followed by execution of a 20-year Lease Agreement on 02.05.2024. Possession was handed over on 17.05.2024 with a six-month rent moratorium. Soon after, on 28.06.2024, the petitioner discovered severe leakage and seepage in the premises. A joint inspection on 04.07.2024 confirmed structural issues, and the respondent assured rectification. However, despite repeated requests from July 2024 to January 2025, the defects persisted, rendering the premises unfit for commercial use. The petitioner initiated dispute resolution by issuing a notice of dispute on 11.09.2025 and later submitted detailed claims. Meanwhile, the respondent



issued coercive demands for rent and threatened punitive action, including electricity disconnection, which was subsequently carried out. The petitioner paid dues under protest and approached the Commercial Court under Section 9 of the Arbitration and Conciliation Act, resulting in restoration of electricity on 21.11.2025. Thereafter, the petitioner invoked conciliation on 04.02.2026 as per the agreement, but the respondent failed to act in accordance with the agreed dispute resolution mechanism or constitute an arbitral tribunal. Consequently, the present petition has been filed.

3. Learned counsel for the respondents on instructions has no objection for referring the matter to arbitration.

4. Accordingly, the petition is allowed by appointing Ms. Anusuya Salwan, Advocate (Mobile No.9811225368) as the sole arbitrator for adjudication of the disputes which have arisen between the parties.

5. The fees of the learned Arbitrator will be governed by Schedule IV of the Act. Before entering upon reference, the learned Arbitrator will comply with Section 12 of the Act.

6. It is made clear that since this Court has not expressed any opinion on the merits of the rival claims of the parties, it will be open for the parties to file their respective claims/counter claims before the learned Arbitrator which will be considered in accordance with law.

7. A copy of this order be forwarded to the learned Arbitrator for information.

AVNEESH JHINGAN, J

APRIL 29, 2026

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