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

+ **ARB.P. 514/2026**

TATA CAPITAL LIMITED

.....Petitioner

Through:

Mr. Nachiketa Suri, Mr. Raj Kumar,
Mr. Kashish Aggarwal, Ms.
Shubhangi Singh and Ms. Puja Mann,
Advs.

Mob: 9999748620

Email:

nachiketsuri.advocate@gmail.com

versus

METOMATIC INDUSTRIES PRIVATE LIMITED & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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23.04.2026

1. Office Noting shows that all the respondents, stands served.
2. None appears for the respondent when the matter is called out.
3. Accordingly, this Court proceeds with the matter.
4. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 ("Arbitration Act"), seeking appointment of an Arbitrator, to adjudicate the disputes between the parties, arising out of a Loan Agreement dated 28th January, 2024, entered between the parties.
5. Attention of this Court has been drawn to Clause 9 of the Loan



Agreement, which stipulates appointment of an Arbitrator by any institutes as mentioned therein situated in Chennai and Bangalore. However, *Clause h* of the Clause 9 stipulates the appointment of an Arbitrator by any Arbitral Institution designated under the provisions of the Arbitration Act or any panel of Arbitrator maintained under the provisions of the said Act.

6. Attention of this Court has also been drawn to Clause 13 and 14, which stipulates the place and jurisdiction of arbitration as Delhi/Calcutta/Chennai/Kochi.

7. Accordingly, learned counsel appearing for the petitioner submits that he has validly chosen Delhi for the purposes of place and jurisdiction.

8. Attention of this Court has also been drawn to the notice under Section 21 of the Arbitration Act, sent to respondents *vide* letter dated 03rd February, 2026.

9. Accordingly, this Court finds no impediment in passing appropriate orders.

10. This Court notes the submission of learned counsel appearing for the petitioner that the petitioner has approximate claim of Rs. 16,51,681/-.

11. Considering the submissions made before this Court, following directions are issued:

- (i) The Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (referred to as the 'DIAC') shall appoint the Sole Arbitrator to adjudicate the disputes between the parties.
- (ii) The arbitration will be held under the aegis and rules of the DIAC.
- (iii) The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.



- (iv) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Arbitration Act prior to entering into the reference.
- (v) It shall be open to the respondent to raise counter-claims, if any, in arbitration proceedings.
- (vi) It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims/counter-claims and merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.
- (vii) The parties shall approach the learned Arbitrator within two weeks from appointment of the Arbitrator.
12. It is made clear that this Court has not expressed any opinion on the merits of the case.
13. Accordingly, the present petition is disposed of in the aforesaid terms.
14. The Registry is directed to send a copy of this order to the Secretary, DIAC for information and compliance.

MINI PUSHKARNA, J

APRIL 23, 2026/SK