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

+ **ARB.P. 658/2026**

SH. RAKESH KUMAR GOELPetitioner

Through: Mr. Kartik Gupta, Advocate.

versus

**DELHI URBAN SHELTER IMPROVEMENT
BOARD & ANR.**

.....Respondents

Through: Mr. Anuj Chaturvedi and Ms. Richa
Dhawan, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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21.05.2026

1. The present petition has been filed by the petitioner under Section 11(5) of the Arbitration and Conciliation Act, 1996 (hereinafter 'the Act') seeking appointment of an Arbitrator to adjudicate the disputes between the parties arising out of Work Order dated 23.08.2019. Clause 25 of the said Work Order is an arbitration clause.
2. The disputes having arising between the parties, the petitioner invoked arbitration by giving a notice dated 21.10.2023 to the respondent, which did not elicit any response.
3. When the matter was first listed on 15.04.2026, notice was issued and learned counsel appearing for the respondents accepted the same.
4. Today, learned counsel appearing on behalf of the respondents submits that respondents have no objection in case an Arbitrator is appointed keeping the rights and contentions of the parties open.



5. At the stage of proceedings under Section 11(5) 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.
6. Since the arbitration clause is not in dispute, the present petition is therefore allowed.
7. Accordingly, the dispute between the parties is referred to arbitration of Mr. Piyush Mittal, Advocate [Mob.9810717949, Email ID: piyushmittaladvocate@gmail.com]
8. 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. The DIAC may register the case forthwith.
9. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Act prior to entering upon the reference.
10. It is made clear that all rights and contentions of the parties are left open for adjudication by the learned Arbitrator.
11. Petition stands disposed of.

VIKAS MAHAJAN, J

MAY 21, 2026/jg