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

+ **ARB.P. 676/2026**

ADA BUILDWELL INFRATECH LLPPetitioner

Through: **Mr. Prateek Jain and Mr. Sanyam
Maan, Advocates.**

versus

SIMPLEX INFRASTRUCTURES LIMITEDRespondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

06.05.2026

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1. This Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of a Sole Arbitrator to adjudicate upon the disputes which have arisen between the parties under the Letter of Intent dated 10.11.2017 (*hereinafter referred to as 'the LoI'*).

2. It is stated that the LoI was awarded to the Petitioner by the Respondent whereby the Petitioner was engaged in execution of stone, marble, and granite works at the residential group housing project known as DLE "*The Ultima*", Sector-81, Gurugram, Haryana. It is stated that disputes arose between the parties regarding payment of money. It is stated that Clause 14 of the LoI contains an Arbitration Clause which provides that disputes arising between the parties under the Agreement shall be decided by means of Arbitration and the seat of Arbitration shall be New Delhi. It is stated by the learned Counsel for the Petitioner that as on date



Rs.13,00,862/- is due and payable by the Respondent. It is stated that Notice under Section 21 of the Arbitration Act invoking arbitration was issued by the Petitioner on 25.02.2025, which, according to the Petitioner, has been served on the Respondent. Despite service of the Notice, the Respondent has not replied to the same. The Petitioner has, thereafter, approached this Court by filing the present Petition.

3. Notice in the present Petition was issued on 17.04.2026.
4. In view of the fact that disputes have arisen between the parties and there is an arbitration clause in the LoI, this Court is inclined to appoint an Arbitrator to adjudicate upon the disputes between the parties.
5. Accordingly, Mr. Kaustubh Rai, Adv. (Mob: 9310618531) is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.
6. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.
7. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the Arbitration & Conciliation Act within two weeks of entering the reference.
8. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.
9. Needless to say, nothing in this order shall be construed as an expression on the merits.
10. The present petition stands disposed of in the above terms along with



pending application(s), if any.

SUBRAMONIUM PRASAD, J

MAY 6, 2026

Rahul