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

+ **ARB.P. 892/2026**

**AGGRESSIVE ELECTRONICS MANUFACTURING SERVICES
PRIVATE LIMITED**Petitioner

Through: None.
versus

MICROCOMM INDIA LIMITED & ORS.Respondents

Through: Mr. Ashish Aggarwal, Ms. Nishtha
Verma, Ms. Anjali Kashyap,
Advocates

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

ORDER
26.05.2026

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1. On the last date of hearing, this Court *vide* order dated 18th May, 2026, recorded the consent of parties to appoint an Arbitrator, however, the matter was adjourned in view of the appeal filed before the Division Bench of this Court. The order dated 18th May, 2026, is reproduced as under:

“xxx xxx xxx

1. *Learned counsel appearing for the petitioner seeks an accommodation for today on the ground that an appeal has been filed by the petitioner herein, against the order dated 23rd April, 2026, passed by this Court in O.M.P. (I) (COMM) 175/2026. The said appeal is coming up for hearing before the learned Division Bench on 22nd May, 2026.*

2. *Learned counsel for the respondents appears on advance notice, and submits that he objects to the adjournment sought today.*

3. *He further disputes the applicability of the Arbitration Clause. However, he submits that keeping the rights and contentions of the parties open, the matter can be referred to an Arbitrator.*

4. *Considering the submissions made before this Court by learned counsel appearing for the petitioner, list on 26th May, 2026.*

xxx xxx xxx”



2. This Court notes that the appeal before the Division Bench, i.e., *FAO (OS)(COMM) 133/2026*, challenging the order dated 23rd April, 2026, passed by this Court in *O.M.P. (I)(COMM) 175/2026*, i.e., petition under Section 9 of the Arbitration and Conciliation Act, 1996 (“Arbitration Act”), between the parties herein, has now been decided. The learned Division Bench by order dated 22nd May, 2026 has appointed an Arbitrator to adjudicate the disputes between the parties herein. The relevant portion of order dated 22nd May, 2026, passed in *FAO (OS)(COMM) 133/2026*, is reproduced as under:

“xxx xxx xxx

10. At request of both the parties, Hon’ble Mr. Justice Manmohan Singh, Former Judge of Delhi High Court is appointed as the Sole Arbitrator for adjudicating and deciding all disputes, that have arisen or may arise between the parties, including claims and counter claims (if any).

11. The arbitration proceedings will be held under the aegis of Delhi International Arbitration Centre (DIAC) and as per its Rules. The fee of the Arbitrator so also manner of payment shall be in accordance with Schedule B & F of the DIAC (Administrative Cost and Arbitrators’ Fees) Rules, 2018.

12. Learned Arbitrator shall give disclosure under Section 12 of the Act of 1996, before entering upon reference.

xxx xxx xxx”

3. Thus, in view of the aforesaid order by the Division Bench, wherein, an Arbitrator has been appointed with the consent of the parties, the present petition has become infructuous.

4. Accordingly, the present petition is disposed of, noting the aforesaid.

MINI PUSHKARNA, J

MAY 26, 2026/au