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

\# **CNR No. DLHC010297072026**

\+ ARB.P. 1127/2026

M/S VIVIDHA GENERAL PRODUCTS PVT. LTD .....Petitioner

Through: Ms. Banita Patowary, Mr. Ram Pravesh Rai, Advocates.

versus

THE DEPUTY COMMISSIONER OF POLICE .....Respondent

Through: Mr. Amit Dhankhar, Advocate.
Mr. Shubham Goyal, Advocate.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% 02.11.2026

1. By way of the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 ["the Act"], the petitioner seeks the appointment of an arbitrator to adjudicate the disputes that have arisen between the parties in relation to the agreement dated 17.10.2022, titled "*Annual Contract for Repair/Maintenance/Painting of Mobile Iron Barricades of Delhi Police for a period of 03 years*" [hereinafter, "the Agreement"].

2. I have heard Ms. Banita Patowary, learned counsel for the petitioner, and Mr. Amit Dhankhar, learned counsel for the respondent.

3. It is undisputed that the Agreement contains an arbitration clause, being Clause 39 thereof, which provides for the reference of disputes between the parties to arbitration and designates Delhi as the venue of arbitration.

4. It is the case of the petitioner that the respondent failed to make payments against the invoices raised under the Agreement, necessitating invocation of the arbitration clause by way of a notice dated 01.05.2026.

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By the said notice, the petitioner raised claims to the tune of approximately Rs.9.65 crores and proposed the appointment of an arbitrator. As the respondent failed to respond to the said notice, the petitioner has approached this Court by way of the present petition.

5. Notice was issued in the present petition on 17.07.2026. Thereafter, by order dated 19.08.2026, the parties were referred to mediation in an endeavour to explore the possibility of an amicable resolution of their disputes.

6. The mediation report dated 30.10.2026, which has been placed on record, indicates that the mediation proceedings between the parties are presently ongoing and that the next sitting before the learned Mediator is scheduled for 06.11.2026.

7. In this regard, Ms. Patowary submits that, during the pendency of the present petition, the respondent has made certain payments towards the outstanding dues, pursuant to which the petitioner's outstanding claim stands reduced to approximately Rs.6.74 crores as on date.

8. Having regard to the undisputed existence of the arbitration agreement between the parties and its invocation, I am of the view that the appropriate course would be to appoint an arbitrator, while deferring the commencement of the arbitral proceedings for a limited period, so as to afford the parties a further opportunity to resolve their disputes through mediation.

9. In view of the aforesaid, and with the consent of learned counsel for the parties, the petition is disposed of with the following directions:

a) The parties shall continue to pursue the ongoing mediation proceedings for a further period of six weeks from today.

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b) In the event that the disputes are not amicably resolved through mediation within the aforesaid period, all disputes arising out of or in connection with the Agreement shall be referred to the arbitration of Mr. Manik Dogra, Senior Advocate [Tel: 98117-00104].

c) In the event that the arbitral proceedings are commenced, the same shall be conducted in accordance with the Rules of the Delhi International Arbitration Centre ["DIAC"], including the provisions governing the remuneration of the learned Arbitrator.

d) Before entering upon the reference, the learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act.

e) DIAC is requested to keep the commencement of the arbitral proceedings in abeyance for a period of six weeks from today, to enable the parties to pursue the ongoing mediation proceedings.

f) In the event that the parties jointly seek an extension of time to pursue mediation, DIAC may defer the arbitration further, by consent of parties.

10. The rights and contentions of the parties, including on the arbitrability of the disputes and on the merits thereof, are left open for consideration in accordance with law. This Court has expressed no opinion on any of these aspects.

11. The petition, alongwith all pending applications, stands disposed of in the aforesaid terms.

PRATEEK JALAN, J

NOVEMBER 2, 2026/'*B*'/SD/

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