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

\# **CNR No. DLHC010343092025**

\+ ARB.P. 819/2025

BRITE NEON SIGNS PRIVATE LIMITED .....Petitioner

Through: Mr. Avadh Bihari, Kaushik, Advocate

versus

UNION OF INDIA AND ORS .....Respondents

Through: Mr. Bhagwan Swarup Shukla, CGSC with Ms. Ananya Jha, Ms. Shreya Mishra, Advocates for UOI

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% 07.10.2026

I.A. 30047/2025 (*for amendment of petition*)

1. The applicant – petitioner has filed this application for amendment of the captioned petition.

2. Notice was issued in the petition on 27.05.2025. Mr. Bhagwan Swarup Shukla, learned Central Government Standing Counsel, has entered appearance on behalf of respondent No.1 – Union of India ["UOI"]. However, no reply has yet been filed by UOI. Although respondent Nos. 2, 3, and 4 have also been served, they have not yet entered appearance.

3. Having regard to the stage of the proceedings, and for the reasons

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stated therein, the application is allowed, without prejudice to the rights and contentions of the respondents on the merits of the matter.

4. The amended petition is, accordingly, taken on record.

5. The application stands disposed of.

ARB.P. 819/2025

1. By way of this petition under Section 11 of the Arbitration and Conciliation Act, 1996, the petitioner seeks appointment of a sole arbitrator.

2. By order dated 08.04.2026, it was recorded that territorial jurisdiction is one of the issues arising in this petition.

3. The petitioner's request for arbitration is based upon Clause 9 of the Memorandum of Understanding ["MoU"] dated 17.10.2018, which reads as follows:

> *"**9. Arbitration and Applicable Laws:***
>
> *9.1. The parties hereby agree that any controversy, claim or dispute arising in connection with this MoU, and which cannot be resolved amicably, shall be referred to the Chief Secretary (Chairman of the Executive Council of Jammu and Kashmir State Rural Livelihoods Mission in the State), whose decision shall be final and binding on all parties.*
>
> *9.2. All disputes shall be resolved as per the Government of India policies and applicable Indian/State Laws.*
>
> *9.3. If case is filed for judicial remedy, where the Ministry of Rural Development is the First Party, the case shall be filed in New Delhi. In case for judicial remedy, where the First Party is Himayat Mission Management Unit, Jammu and Kashmir State Rural Livelihoods Mission, the case shall be filed in the respective court in the State Headquarters."*

4. In view of the fact that Himayat Mission Management Unit, Jammu and Kashmir State Rural Livelihoods Mission at Srinagar, and the

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petitioner herein are the only parties to the MoU, Mr. Avadh Bihari Kaushik, learned counsel for the petitioner, seeks permission to withdraw this petition, with liberty to approach the appropriate Court in terms of Clause 9.3 of the MoU.

5. In view of the above, the petition is dismissed as withdrawn, with liberty as aforesaid.

6. It is made clear that this Court has not rendered any opinion on the merits of the matter, including as to whether UOI is a necessary or proper party to the proposed arbitration proceedings.

PRATEEK JALAN, J

OCTOBER 7, 2026
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