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

+ **ARB.P. 924/2025**

VENKATESHWAR HOSPITAL

.....Petitioner

Through: Ms. Petal Chandhok & Ms.
Garima Raisinghani, Advs.

versus

DR (COL.) SUBROTO KUMAR DATTA

.....Respondent

Through: Mr. Jai Sahai Endlaw & Ms.
Shambhavi Kala, Advs.

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

21.01.2026

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1. The present petition has been filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 [“Act”], seeking appointment of a sole arbitrator to adjudicate upon the disputes between the parties herein.

2. Learned counsel appearing for the parties are *ad idem* that the matter may be referred to arbitration *via* sole Arbitrator in terms of Clause 7 of the letter of the Engagement on Fee for Services dated 01.12.2020 which is annexed as Document P-2 to the petition and the said clause reads as under:

“7. Governing Law and Dispute Resolution

7.1 Your consultancy with the Hospital is subject to the laws of India. All disputes, claims, or differences shall be subject to the jurisdiction of the Courts of New Delhi only. All



disputes or differences arising out of or in connection with the terms of this Letter of Engagement and your consultancy with the Hospital shall be referred to a sole arbitrator appointed by the Hospital as per the provisions of the Arbitration and Conciliation Act, 1996. The seat of arbitration shall be at New Delhi and the language of the arbitration proceedings shall be English only."

3. Learned counsel for the Petitioner draws the attention of this Court to the letter dated 10.02.2025, annexed as Document P-12, which is stated to be the notice under Section 21 of the Act.
4. Since the underlying value in respect to the disputes raised herein is approximately Rs. 20,00,000/-, this Court deems it appropriate to appoint **Ms. Pragya Priya, Advocate (Mobile No. 9971079819)**, as an Arbitrator in the present matter.
5. The learned sole Arbitrator may proceed with the arbitration proceedings, subject to furnishing to the parties the requisite disclosures as required under Section 12(2) of the Act.
6. The learned sole Arbitrator shall be entitled to fee in accordance with the Fourth Schedule of the Act or as may otherwise be agreed to between the parties and the learned sole Arbitrator.
7. The parties shall share the learned sole Arbitrator's fee and arbitral cost, equally.
8. All rights and contentions of the parties in relation to the claims/counter claims are kept open, to be decided by the learned sole Arbitrator on their merits, in accordance with law.
9. Needless to state, nothing in this order shall be construed as an expression of opinion of this Court on the merits of the controversy. All rights and contentions of the parties in this regard are reserved. Let the copy of the said order be sent to the learned sole Arbitrator through the electronic mode as well.



10. Accordingly, the present petition, along with all pending application(s), if any, is disposed of.

11. A photocopy of the Order passed today be kept in the connected matters.

HARISH VAIDYANATHAN SHANKAR, J.
JANUARY 21, 2026/ v/her/dj