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

\# **CNR No. DLHC010421392026**

\+ ARB.P. 1607/2026

M/S DJT RETAILERS PRIVATE LIMITED .....Petitioner

Through: Mr. Harry Chhibber, Mr. Sidhant Malik, Adv.

versus

RB INFRAESTATE PRIVATE LIMITED .....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% 03.11.2026

1. On the last date of hearing, notice was issued to the Respondents and the Respondents were asked to file reply to the present petition. However, the same has not been filed.

2. On a perusal of the affidavit of service filed it appears that the notice has been duly served on the Respondents.

3. Despite the opportunity so granted, none appears on behalf of the Respondents. Respondents have also failed to file any reply to the present petition.

4. In view thereof and considering that the Respondents have chosen not to participate in the present proceedings, despite sufficient service, this Court finds no impediment in proceeding to consider the

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appointment of a Sole Arbitrator.

5. The tracking details placed on record establishes that the Respondents have been duly served. The proof of service as reflected from the tracking details is as follows:-



10/26/26, 1:21 PM 6 India Post

Department of Posts
Government of India
Ministry of Communications

Generated through Indiapost website on: 26/10/2026, 13:20:54

Consignment/MO Tracking Report

Consignment/MO Number: SU002777968IN

Article Number:	Article Type:	Tariff:
SU002777968IN	SP_INLAND_DOC	₹ 40

Booked At:	Booked On:	Destination:
Delhi High Court Extension Counter SO	09/10/2026, 11:53:31	Delhi University SO
Origin Pincode:	**Delivered On:**	**Destination Pincode:**
110003	10/10/2026, 13:03:42	110007

Event	Date	Time	Office	Remarks
Item Booked	09/10/2026	11:53:31	Delhi High Court Extension Counter SO	-
Item bagged	09/10/2026	15:04:53	Delhi High Court Extension Counter SO	-
Item Dispatched	09/10/2026	15:26:08	Delhi High Court Extension Counter SO	-
Bag Received	09/10/2026	21:20:50	New Delhi NSH	-
Item Received	09/10/2026	23:42:51	New Delhi NSH	-
Item bagged	10/10/2026	04:16:26	New Delhi NSH	-
Item Dispatched	10/10/2026	05:53:44	New Delhi NSH	-
Bag Received	10/10/2026	07:39:45	MalkaGanj DC	-
Item received at Destination	10/10/2026	07:45:59	MalkaGanj DC	-
Taken out for delivery	10/10/2026	09:07:43	MalkaGanj DC	-
Item Delivered(Addressee)	10/10/2026	13:03:42	MalkaGanj DC	Article Delivered to Ramesh Chandra press wala

https://www.indiapost.gov.in/track-result/article-tracking/0e3ei1j4jb000lgcy01qfy11pts4arg0677k4t9809203 1/1

6. The Petitioner claims an amount approximately Rs.4,96,845/-.

7. It is well settled that, while exercising jurisdiction under Section 11 of the Act, the scope of enquiry is confined to examining the prima

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facie existence of an arbitration agreement.

8. In the present case, this Court is of the view that a valid and binding agreement exists between the parties.

9. In the aforesaid circumstances, this Court finds no impediment in appointing a Sole Arbitrator to adjudicate the disputes between the parties.

10. Accordingly, Ms. Harshita Choubey, Advocate, (Mob. No. 9999776655) is appointed as a learned Sole Arbitrator to adjudicate the disputes arisen between the parties. The learned Sole Arbitrator shall enter upon the reference within two weeks from today.

11. The learned Sole Arbitrator will proceed to the arbitration proceedings subject to furnishing requisite disclosures as required under Section 12(2) of the Act within two weeks of entering reference.

12. The arbitration shall be carried under the rules and aegis of Delhi International Arbitration Centre ("DIAC"). The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

13. It shall be open to the parties to raise all pleas, including objection as to arbitrability and jurisdiction, before the learned Sole Arbitrator who shall decide the same in accordance with law.

14. It is clarified that the observations made herein are only for the

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purpose of deciding the present petition under Section 11 of the Act. The learned Sole Arbitrator shall adjudicate the disputes independently and on their own merits, uninfluenced by any observations contained in the present order.

15. The Registry is directed to send a receipt of this order to Ms. Harshita Choubey, learned Arbitrator through all permissible modes including email.

16. Accordingly, the present petition is disposed of in the above terms.

OM PRAKASH SHUKLA, J

NOVEMBER 3, 2026/at

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