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

\# **CNR No. DLHC010464412026**

\+ ARB.P. 1728/2026

MEENA BAZAAR .....Petitioner

Through: Ms. Mansi Chadha & Ms. Misika Chaudhary, Advs.

versus

DEEPAK BALUTIA .....Respondent

Through: Mr. Shubhanshu Gupta, Mr. Kartik Pant, Ms. Kirtika Goyal, Adv.

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% 27.10.2026

1. Mr. Shubhanshu Gupta, learned Counsel appears on behalf of Respondent.

2. Learned Counsel for the parties are *ad idem* that the dispute can be referred to arbitration for adjudication.

3. It is well settled that, while exercising jurisdiction under Section 11 of the Arbitration and Conciliation Act,1996,[1] the scope of enquiry is confined to examining the prima facie existence of an arbitration agreement.

4. In the present case, there is no dispute with regard to the existence of a valid arbitration clause between the parties.

[1] "the Act" hereinafter

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5. Further, the parties are *ad idem* with respect to the reference of the disputes to arbitration. In the aforesaid circumstances, this Court finds no impediment in appointing a Sole Arbitrator.

6. Accordingly, Ms. Priya Hingorani, Sr. Advocate (Mob. No. 9810001064) 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 three weeks from today.

7. 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 three weeks of entering reference.

8. 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.

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

10. It is clarified that the observations made herein are only for the purpose of deciding the present petition under Section 11 of the Act. The learned Sole Arbitrator shall adjudicate the disputes

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independently and on their own merits, uninfluenced by any observations contained in the present order.

11. The Registry is directed to send a receipt of this order to Ms. Priya Hingorani, learned Arbitrator through all permissible modes including email.

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

OM PRAKASH SHUKLA, J

OCTOBER 27, 2026/at

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