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

+ **ARB.P. 1121/2025**

M/S SUNCITY PROJECTS PVT. LTDPetitioner

Through: **Mr. Rakesh Prasad Singh, SPC**
along with **Mr. Anant Vijay**
Advocates.

versus

MR. RAVI SAWLANI AND ANRRespondents

Through: **Mr. Arjun Aggarwal, Mr.**
Pawas Agarwal and Mr. Aman
Kumar, Advocates.

CORAM:

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER

29.01.2026

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1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, seeking the appointment of an Arbitrator for the purpose of resolution of disputes as between the parties in accordance with Clause 36 of the Tripartite Maintenance Agreement dated 24.04.2014 [**“Agreement”**] executed between the Petitioner, one M/s E-City Property Management and Services Pvt. Ltd., and the Respondents herein. The said Arbitration Clause is reproduced herein below:

“36. All differences between the Allottee/Occupant (s) & PMA will first be sorted out through mutual discussion and dialogue but should any difference or dispute remain, the same shall be settled by arbitration. The arbitration processing shall be conducted in accordance with the provisions of the Arbitration and Conciliation Act, 1996 or any re-enactment thereof. The PMA shall refer the dispute to the sole arbitrator, which shall be appointed by PMA. The seat of arbitration shall be at Delhi and language shall be in English.”



2. As is apparent, the Agreement notes that the arbitration proceedings, if any, were contemplated only as between the maintenance agency and the Respondents herein.

3. The present petition has been filed by one of the parties to the Agreement, i.e. the Petitioner, which expressly excluded itself from the operation of the said arbitration clause.

4. In view of the aforesaid facts & circumstances, it is apparent that the present petition is not maintainable at the instance of the Petitioner – Company.

5. For the reasons aforesaid, the present petition along with pending application(s), if any, stands dismissed.

HARISH VAIDYANATHAN SHANKAR, J.
JANUARY 29, 2026/tk/her/dj