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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 1483/2025

SUBHASH CHANDRA SHARMA

.....Petitioner

Through: Mr. Shram Vir Vats, Adv.

versus

AAIC BUILDING SOLUTIONS LTD

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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25.02.2026

1. The present petition has been filed under Section 11(6A) of the Arbitration and Conciliation Act, 1996 (hereinafter, 'the Act') seeking appointment of an Arbitrator to adjudicate the disputes between the parties under the work order no.003/AAIC/WO/2019-20 dated 28.10.2019. The agreement provides for resolution of disputes by an Arbitration.
2. Clause 30 of the said agreement is the arbitration clause. The clause further provides that agreement is subject to the jurisdiction of Delhi only.
3. The disputes having arisen between the parties, the petitioner invoked arbitration by giving a notice dated 12.08.2025 in terms of Section 21 of the Act which did not elicit any response, therefore, the petitioner has approached this Court by way of present petition.
4. Notice was issued in the present petition *vide* order dated 15.09.2025.
5. The service report reveals that the respondent has been served by ordinary means. Besides that, the petitioner has also served the respondent, and an affidavit of service along with the tracking report is on record, which reveals that the notice has been received by the representative of respondent company namely, Deepanshu. However, there is no appearance on behalf of the respondent despite service.



6. At the stage of proceedings under Section 11 of the Act, the Court only requires to satisfy itself, *prima facie*, as to the existence of the arbitration agreement. All other questions are to be left to the determination of the learned Arbitrator.
7. The material on record, particularly the agreement dated 28.10.2019, shows that an arbitration agreement exists between the parties. The respondent has also not appeared to controvert this position.
8. The petition is, therefore, allowed, and the disputes between the parties are referred to arbitration of Ms. Shreya Mathur, Advocate (D/6388/2017); [Mob. 8527080105].
9. The arbitration will be held under the aegis of Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi – 110003 [“DIAC”] and shall be governed by the Rules of DIAC including as to the remuneration of the learned Arbitrator.
10. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Act prior to entering upon the reference.
11. Further, since respondent is not represented before this Court, it is made clear that respondent be also served in accordance with the rules of DIAC in the arbitration proceedings.
12. It is made clear that all rights and contentions of the parties are left open for adjudication by the learned Arbitrator.
13. Petition stands disposed of.

VIKAS MAHAJAN, J

FEBRUARY 25, 2026/dss