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

+ **ARB.P. 1658/2025**

MS. SUDHA KUMARI

.....Petitioner

Through: Mr. Nitish Kumar Singh, Mr.
Shashank Kumar & Mr. Harsh, Advs.
(through VC).

versus

RELIANCE JIO INFOCOMM LIMITED AND ANR

.....Respondents

Through: Mr. Aabhas Kshetarpal, Mr. Dhiliban
Vara Darajan & Mr. Harsh N Dudhe,
Advs.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

19.02.2026

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1. The present petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for appointment of an arbitrator.
2. The parties entered into a Leave and License Agreement dated 08.07.2013 (hereinafter 'the agreement'). Clause 15 of the agreement provided for dispute resolution through arbitration. The petitioner issued notice dated 23.04.2025 under Section 21 of the Act and thereafter the petition is filed.
3. Learned counsel for the respondents raises an objection that in the suit filed the respondent moved an application under Section 8 of the Act which remained undecided due to non-appearance of the petitioner and the suit was



dismissed for non-prosecution.

4. Considering that there was no decision of the suit on merits and the respondents itself had filed an application under Section 8 of the Act claiming that there exists an arbitration clause, the issue need not be dilated upon at this stage.

5. Accordingly, the petition is allowed by appointing Mr. Nikhil Bhardwaj, Advocate (Mobile No.: 9910052133), with the consent of the parties, as the sole arbitrator for adjudication of the disputes which have arisen between the parties.

6. The fees of the learned Arbitrator will be governed by Schedule IV of the Act. Before entering upon reference, the learned Arbitrator will comply with Section 12 of the Act.

7. It is made clear that since this Court has not expressed any opinion on the merits of the rival claims of the parties, it will be open for the parties to file their respective claims/counter claims before the learned Arbitrator which will be considered in accordance with law.

8. A copy of this order be forwarded to the learned Arbitrator for information.

AVNEESH JHINGAN, J

FEBRUARY 19, 2026

'JK'