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

Date of Decision: 21.05.2026

+ O.M.P. (T) (COMM.) 115/2025

MR. ARUN KUMAR RAI

.....Petitioner

Through: Ms. Samprikta Ghoshal, Ms.
Mahima Malhotra and Mr.
Lakshay Aggarwal, Advocates.

versus

M/S PROTECT IP SOLUTIONS LLP & ANR.

.....Respondents

Through: Mr. Sidharth Joshi, Ms.
Ambareen, Ms. Sanjana and
Mr. Zaki, Advocates.

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

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JUDGEMENT (ORAL)

HARISH VAIDYANATHAN SHANKAR, J.

1. The present Petition has been filed under Section 14(1) and (2) read with Section 15(2) of the Arbitration and Conciliation Act, 1996 seeking termination of mandate of the learned Arbitral Tribunal due to *de facto* incapacity of the presiding learned Arbitrator and appointment of substitute Arbitrator(s).
2. Learned counsel appearing on behalf of the parties are *ad idem* that since the mediation proceedings have failed, this Court may



appoint a learned Arbitrator to adjudicate the disputes as between the parties.

3. Material on record indicates that the dispute is stated to be for an amount of approximately Rs. 5 Crores.

4. The learned counsel for the parties are *ad idem* that the matter be referred to an Arbitrator under the *aegis* of the Delhi International Arbitration Centre [“DIAC”].

5. Accordingly, **Ms. Justice Mukta Gupta, Former Judge of this Court (Mobile No. [REDACTED])** is appointed as the Sole Arbitrator.

6. The arbitration would take place under the *aegis* of the Delhi International Arbitration Centre (DIAC).

7. The learned Sole Arbitrator may proceed with the arbitration proceedings, subject to furnishing to the parties the requisite disclosures as required under Section 12(2) of the Act within a week of entering of reference.

8. The Arbitration shall take place under the *aegis* of the DIAC and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

9. The parties shall share the learned Sole Arbitrator’s fee and arbitral costs equally.

10. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

11. The Registry is directed to send a receipt of this order to the learned arbitrator through all permissible modes, including through e-



mail.

12. Needless to say, nothing in this order shall be construed as an expression of opinion of this Court on the merits of the controversy between the parties.

13. Accordingly, the present Petition, along with pending application(s), is disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
MAY 21, 2026/nd/va