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

+ **ARB.P. 1921/2025**

M/S J S HOSPITALITY SERVICES PVT. LTD.Petitioner

Through: **Mr. Vekas Tomar, Adv.**

versus

SANJAY SHARMARespondent

Through: **Mr. Rajeev Kumar, Adv.**

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

11.05.2026

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1. The present petition is filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for appointment of an Arbitrator.
2. The petitioner company is engaged in the business of hospitality and restaurant services. The respondent is a partner of the partnership firm, M/s An Elegant Hospitality (for short 'the firm'). On 01.12.2011, a Reconstituted Partnership Deed (hereinafter referred to as 'the partnership deed') was executed between the parties to the *lis*, whereby the petitioner company was inducted as a partner in the firm. Disputes arose between the parties in relation to the affairs of the partnership firm, with respect to accounts, financial transactions and alleged outstanding liabilities. The petitioner on 18.09.2025, issued a notice under Section 21 of the Act invoking arbitration under Clause 19 of the partnership deed.
3. Learned counsel for the respondents on instructions has no objection for referring the matter to arbitration and contends that the suit filed by the



respondent was dismissed on an application filed under Section 8 of the Act. Further, liberty be granted to raise all the issues and claims before the arbitrator.

4. Needless to say that this court has not decided the issues on merits and has only gone by the existence of an arbitral clause and prima facie, the dispute between the parties.

5. Accordingly, the petition is allowed by appointing Justice Mr. Rajiv Sahai Endlaw (Retd.), (Mobile No.: 9717495002) 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

MAY 11, 2026/Pa