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

+ **ARB.P. 1962/2025**

**M/S RAKESH BUILDERS AND
CONTRACTORS**

.....Petitioner

Through: Mr. Rajmangal Kumar, Mr. Satyender
Kumar and Ms. Sangeeta Kumari,
Adv.

versus

DELHI TRANSCO LIMITED

.....Respondent

Through: Ms. Anubha Dhulia, Adv.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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27.01.2026

1. By way of this petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 [in short, 'Act'], the petitioner seeks appointment of a Sole Arbitrator to adjudicate the disputes between the parties under agreement dated 04.12.2020. Clause 25 of the GCC provides for resolution of disputes through arbitration. The arbitration is to be conducted by the Sole Arbitrator.
2. The arbitration clause provides that the arbitration proceedings shall be held in Delhi and only Delhi Courts will have the jurisdiction in the matter.
3. The disputes having arisen between the parties, the petitioner invoked arbitration by a communication dated 25.08.2025. The said notice was responded to by the respondent *vide* its reply dated 14.10.2025. However, the arbitration clause has not been disputed.
4. At the stage of proceedings under Section 11 of the Act, the Court is only required to satisfy itself, *prima facie*, as to the existence of the



arbitration agreement and all other questions are left to be determined by the learned Arbitrator.

5. Since there is no dispute as to the existence of the arbitration clause, therefore, the present petition is allowed.

6. The disputes between the parties are referred to the arbitration under the aegis of Delhi International Arbitration Centre, Delhi High Court, Shershah Road, New Delhi-110503 [in short, 'DIAC'].

7. The parties are *ad idem* that since the matter is technical in nature, therefore, any Engineer be appointed as Arbitrator by the DIAC from the panel available with it.

8. Accordingly, the DIAC is directed to appoint an Engineer as Arbitrator from the panel maintained by it. The arbitration shall be governed by the Rules of DIAC, including as to the remuneration of the learned Arbitrator.

9. The learned Arbitrator is requested to furnish declaration under Section 12 of the Act, prior to entering upon the reference.

10. It is clarified that no observation has been made on merits of the case and all the contentions available to the parties are left open for adjudication by the learned Arbitrator.

11. The petition is disposed of, in the aforesaid terms.

12. Copy of this order be given *dasti* under signatures of Court Master.

VIKAS MAHAJAN, J

JANUARY 27, 2026/aj