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

+ ARB.P. 2013/2025 & I.A. 30110/2025

MS SHILPKAR INDIA DESIGNERS AND CONTRACTORS PVT
LTDPetitioner

Through: Mr. Bipin Prabhat, Adv.

versus

MS COLLIERS INTERNATIONAL (INDIA) PROPERTY
SERVICES PVT. LTD.Respondent
Through: Mr. Rizwan, Ms. Sachi Chopra & Mr.
Wasil Arafat, Advs.

CORAM:
HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER
15.04.2026

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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 under the clause in contract dated 07.12.2022.
2. Learned counsel for the respondent raises a preliminary objection that as per the arbitration clause the arbitration is to be held at Mumbai. The submission is that the work was awarded at Gurgaon and the contract was executed in Gurgaon.
3. Learned counsel for the petitioner after arguing for some time relying upon the jurisdiction clause of the contract wherein it is stated that the courts at New Delhi shall have exclusive jurisdiction with respect to the matters arising out of this order and realizing this clause starts with the phrase



“subject to arbitration provisions herein”, seeks permission to withdraw the present petition with liberty to approach the appropriate court.

4. The petition is dismissed as withdrawn with liberty as prayed for. Pending application stands disposed of.

AVNEESH JHINGAN, J

APRIL 15, 2026

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