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

\# **CNR No. DLHC010975932025**

\+ ARB.P. 2042/2025

M/S ONE 97 COMMUNICATIONS LIMITED .....Petitioner

Through: Mr. Raheel Kohli & Mr. Himanshu Handa, Advocates.

versus

M/S RADIANT INFO SYSTEMS PVT. LTD. .....Respondent

Through: Mr. D. Satya Sai Sumath, Advocate.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% 12.10.2026

1. By way of this petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 ["the Act"], the petitioner seeks appointment of an arbitrator to adjudicate disputes between the parties under an agreement dated 03.01.2017, entitled "*Market Place Agreement – Travel Segment*" ["the Agreement"].

2. I have heard Mr. Himanshu Handa, learned counsel for the petitioner, and Mr. D. Satya Sai Sumath, learned counsel for the respondent.

3. The Agreement admittedly contains an arbitration clause [Clause 18.5], which provides for adjudication of disputes by a sole arbitrator. It also provides that the arbitration would be held in New Delhi, and that the Courts of New Delhi would have exclusive jurisdiction in connection

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with the Agreement, as well as for the parties to approach the Courts of New Delhi, if they are unable to agree upon the identity of the arbitrator.

4. Disputes arose between the parties, as reflected in exchange of correspondence annexed to the petition. Ultimately, arbitration was invoked by the petitioner, through counsel, *vide* a legal notice dated 14.10.2025, to which the respondent replied, through counsel, on 14.11.2025.

5. Although notice was issued in this petition on 05.12.2025, the orders reflect that, at a certain stage, settlement talks were in progress between the parties. Learned counsel for the parties state that settlement talks are, in fact, still ongoing.

6. Having regard to the fact that the respondent does not dispute the existence of the arbitration clause and the invocation thereof, I am of the view that the appropriate course is to appoint an arbitrator, but to request the arbitrator not to enter into reference for a short period, to enable the parties to enter into a settlement, if possible. Learned counsel for the parties are also agreeable to this course of action.

7. Having regard to the above, the petition is disposed of, with the consent of learned counsel for the parties, with the following directions:

a. The disputes between the parties under the Agreement will be adjudicated by arbitration before Mr. Kanwal Jeet Arora, former District Judge, [Tel:9910384733], under the aegis of Delhi International Arbitration Centre [“DIAC”].

b. The arbitration proceedings will be governed by the Rules of DIAC, including as to remuneration of the learned Arbitrator.

c. The learned Arbitrator is requested to furnish a declaration under

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Section 12 of the Act, prior to entering upon the reference.

d. The learned Arbitrator is requested to not to enter into reference for a period of eight weeks from today, to enable the parties to settle their disputes.

e. In the event the parties jointly request for a further deference, learned Arbitrator may act in accordance with such a request. The arbitration may otherwise commence, at the request of either party, after a lapse of eight weeks from today.

8. The petition stands disposed of, with the aforesaid directions.

9. All rights and contentions of the parties, including the question of arbitrability, are left open for adjudication by the learned Arbitrator. The merits of the disputes, including effect of any subsequent agreements entered into between the parties, will also be considered by the learned Arbitrator. This Court has made no comment thereupon.

PRATEEK JALAN, J

OCTOBER 12, 2026
***'PV'**/MK/*

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