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

+ **ARB.P. 15/2026**

**M/S LTC COMMERCIAL COMPANY PRIVATE
LIMITED**

.....Petitioner

Through: Mr. Rishabh Kapoor, Mr. Jatin Gulia,
Mr. Siddharth Rana, Mr. Kunal
Malik, Mr. Sourav Drall, Mr. Lokesh
Yadav and Mr. Vivek Shekhawat,
Advs.

versus

**SMALL FARMERS AGRIBUSINESS CONSORTIUM,
HARYANA**

.....Respondent

Through: Mr. Shekhar Raj Sharma, Addl. AG,
(Haryana) with Ms. Nidhi Narwal and
Ms. Srishti Jain, Advs.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

ORDER

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04.05.2026

**I.A. 31/2026 (seeking condonation of delay in re-filing the petition under
Section 5 of Limitation Act, 1963 r/w Order VIII Rule 1 CPC by
petitioner)**

1. For the reasons mentioned in the application, the delay in re-filing the present petition is condoned.
2. The application stands disposed of.

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3. The present petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter, 'the Act') seeking appointment of



an Arbitrator to adjudicate the dispute between the parties under the three identically worded Memorandum of Agreements dated 18.05.2021, 14.12.2022 and 24.01.2023. Clause 9 in each of these Memorandum of Agreements provide for reference of disputes to Sole Arbitrator. The seat and venue of arbitration has been mentioned as Delhi.

4. Notice was issued in the present petition *vide* orders dated 05.01.2026 and 27.03.2026.

5. Mr. Shekhar Raj Sharma, learned Additional Advocate General enters appearance on behalf of State of Haryana. On instructions, he submits that there is no dispute that all the three memorandum of agreements contain an arbitration clause.

6. 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 all other questions have to be left to the determination to the learned Arbitrator.

7. Since, there is not dispute with regard to the existence of an arbitration agreement, the present petition is allowed and the disputes between the parties are referred to the arbitration of Mr. Mukul Singh, Advocate:[Mob.9310747175], Email ID: mukulsinghadv@gmail.com.

8. The arbitration will be held under the aegis of Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi – 110003 [“DIAC”] and 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 a declaration under Section 12 of the Act prior to entering upon the reference.

10. It is made clear that all rights and contentions of the parties are left



open for adjudication by the learned Arbitrator.

11. The petition stands disposed of.

MAY 4, 2026/dss

VIKAS MAHAJAN, J