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

\# **CNR No. DLHC011081812025**

\+ ARB.P. 46/2026

TATA CAPITAL LIMITED .....Petitioner

Through: Ms. Ragini Kapoor, Advocate.

versus

NAVEENMUSKAAN AUTO PVT LTD & ORS. .....Respondents

Through: Mr. Prince Arora, Ms. Chaitanya Sharma and Mr. Himashu Sorout, Advocates.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% 12.10.2026

1. By way of the present petition under Section 11 of the Arbitration and Conciliation Act, 1996 ["the Act"], the petitioner seeks the appointment of a sole arbitrator to adjudicate the disputes that have arisen between the parties in connection with three Loan Agreements dated 22.07.2022, 16.08.2023 and 18.10.2024.

2. Respondent No. 1 – Naveen Muskaan Auto Pvt. Ltd., was the borrower under the aforesaid Loan Agreements, while respondent Nos. 2 to 5 were the guarantors. Each of these agreements contains an arbitration clause providing for the resolution of disputes by a sole arbitrator, with Delhi designated as the place of arbitration and the courts at Delhi vested with jurisdiction.

3. The petitioner invoked the arbitration clauses *vide* legal notice

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dated 22.11.2025.

4. I have heard Ms. Ragini Kapoor, learned counsel for the petitioner, and Mr. Prince Arora, learned counsel for the respondents.

5. During the pendency of the present petition, the parties were referred to mediation *vide* order dated 01.04.2026. However, the mediation was unsuccessful, as recorded in the report dated 22.09.2026 placed on record.

6. Mr. Arora submits that the respondents have no objection to the appointment of a sole arbitrator.

7. In view of the undisputed existence of the arbitration clauses and their invocation, the disputes arising out of the Loan Agreements dated 22.07.2022, 16.08.2023 and 18.10.2024 are referred to arbitration, with the consent of learned counsel for the parties, on the following terms:

a) Mr. Ankit Yadav, Advocate [Tel.: 8574590040] is appointed as the sole arbitrator to adjudicate the disputes between the parties arising out of the aforesaid Agreements.

b) The arbitration shall be conducted under the aegis of the Delhi International Arbitration Centre ["DIAC"] and in accordance with the DIAC Rules, including the provisions governing the remuneration of the learned Arbitrator.

c) The learned Arbitrator is requested to furnish the requisite declaration under Section 12 of the Act before entering upon the reference.

8. It is clarified that this Court has not expressed any opinion on the merits of the disputes. All rights and contentions of the parties, including those relating to the arbitrability and maintainability of the claims and the

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merits of the disputes, are left open for adjudication by the learned Arbitrator.

9. The petition, alongwith any pending application, stands disposed of in the above terms.

PRATEEK JALAN, J

OCTOBER 12, 2026
SS/SD/

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