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

CNR No. DLHC010177032026

+ **ARB.P. 760/2026**

M/S RIJIN ELECTRONICS PRIVATE LIMITED.....Petitioner

Through: **Mr. Nitin Mangla and Mr.
Nishchay Kapoor, Advs.**

versus

MRS KHUSHBOO GARG

.....Respondent

Through: **Ms. Rashmi Kumari, Mr.
Praveen Kumar Jain, Mr.
Naveen Kumar Jain, Mr. Aditya
Rathi and Ms. Anamika
Agrawal, Advs.**

CORAM:

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% **05.08.2026**

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996¹ seeking appointment of an arbitrator to adjudicate the disputes arisen between the parties under the agreement dated 14.10.2021.

2. *Vide* order dated 21.05.2026, the matter was referred to mediation. However, the mediation proceedings have not culminated in a settlement.

3. The mediation report dated 27.07.2026 records that the

¹ "the Act" hereinafter



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settlement talks between the parties have failed.

4. Learned Counsel appearing for the parties jointly submit that in view of the failure of the mediation proceedings, disputes are required to be referred to arbitration in terms of the arbitration agreement.

5. It is well settled that, while exercising jurisdiction under Section 11 of the Act, the scope of enquiry is confined to examining the *prima facie* existence of an arbitration agreement².

6. In the present case, there is no dispute with regard to the existence of a valid arbitration clause between the parties.

7. Further, the parties are *ad idem* with respect to the reference of the disputes to arbitration. In the aforesaid circumstances, this Court finds no impediment in appointing a Sole Arbitrator.

8. Accordingly, Ms. Vidhushi Pandey, Advocate (Mob. No. +91-9833055620) is appointed as a learned Sole Arbitrator to adjudicate the disputes arisen between the parties. The learned Sole Arbitrator shall enter upon the reference within two weeks from today.

9. The learned Sole Arbitrator will proceed to the arbitration proceedings subject to furnishing requisite disclosures as required under Section 12(2) of the Act within two weeks of entering reference.

² SBI General Insurance Co. Ltd. v. Krish Spinning 2024 SCC OnLine SC 1754



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10. The arbitration shall be carried under the rules and aegis of Delhi International Arbitration Centre (“DIAC”). The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

11. It shall be open to the parties to raise all pleas, including objection as to arbitrability and jurisdiction, before the learned Sole Arbitrator who shall decide the same in accordance with law.

12. It is clarified that the observations made herein are only for the purpose of deciding the present petition under Section 11(6) of the Act. The learned Sole Arbitrator shall adjudicate the disputes independently and on their own merits, uninfluenced by any observations contained in the present order.

13. The Registry is directed to send a receipt of this order to Ms. Vidhushi Pandey, learned Arbitrator through all permissible modes including email.

14. Accordingly, the present petition is disposed of in the above terms.

OM PRAKASH SHUKLA, J

AUGUST 5, 2026/ss