



2026-DHC:4083



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

Date of Decision : 08.05.2026

+ ARB.P. 392/2026 & I.A. 5801/2026 (For Delay 02 days in re-filing the petition)

THE VAISH COOPERATIVE ADARSH BANK LIMITED

.....Petitioner

Through: Mr. Ravi Data, Mr. Rajesh
Sharma and Mr. Karan Mehta,
Advocates.

versus

UNION BANK OF INDIA & ORS.Respondents

Through: Mr. Samarendra Kumar, Mr.
Madhurendra Kumar, Mr.
Nitin, Ms. Nisha, Ms. Soumya
and Ms. Kajal, Advocates for
Respondent No. 1.

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

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JUDGEMENT (ORAL)

1. The present Petition has been filed under Section 11(6) of the **Arbitration and Conciliation Act, 1996¹**, read with Section 11 of the **Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest, 2002²**, seeking the appointment of a Sole Arbitrator to adjudicate the disputes that are stated to have arisen *inter se* the parties.

2. In view of the fact that two financial institutions namely the

¹ A&C Act

² SARFAESI Act



2026-DHC:4083



Petitioner and the Respondents herein had rival claims over the same property, the Hon'ble Supreme Court in the Judgment of *Bank of India v. Sri Nangli Rice Mills (P) Ltd. [(2025) 9 SCC 225]* has held that such *inter se* disputes between financial institutions/secured creditors should be resolved by resort to the provisions of Section 11 of the SARFAESI Act read with the A&C Act.

3. The learned counsel appearing for the parties, jointly and on instructions, submit that they are *ad idem* that the present dispute be referred to arbitration.

4. Material on record indicates that the valuation of the present dispute is stated to be approximately Rs. 50 lakhs.

5. Learned counsel appearing for the parties submits that the matter may be referred to Arbitration by a Sole Arbitrator under the *aegis* of the Delhi International Arbitration Centre [“DIAC”].

6. Accordingly, this Court appoints **Mr. Alakh Kumar, Advocate (Mobile No. 9811063763)**, to adjudicate the disputes as between the parties.

7. The Arbitration would take place under the *aegis* of the DIAC and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

8. The learned Arbitrator is also requested to file the requisite disclosure under Section 12 (2) of the Act within a week of entering of reference.

9. The Registry is directed to send a receipt of this order to the learned Arbitrator through all permissible modes, including through e-mail.



2026:DHC:4083



10. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

11. Needless to say, nothing in this order shall be construed as an expression of opinion of this Court on the merits of the controversy between the parties.

12. Accordingly, the present Petition, along with pending application(s), if any, stands disposed of in the above terms.

HARISH VAIDYANATHAN SHANKAR, J.
MAY 08, 2026/nd/va