



2026:DHC:6497



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

CNR No. DLHC010359992026

+ **ARB.P. 1369/2026, I.A. 21210/2026, I.A. 21210/2026**

SURI INTERNATIONALPetitioner

Through: **Mr. Ashish Khurana, Adv.**

versus

UNION OF INDIARespondent

Through: **Advocate** (appearance not
given)

CORAM:

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% **07.08.2026**

1. This is a petition filed under Section 11 seeking re-appointment of a Sole Arbitrator as the earlier arbitral award, while granting principal amount of Rs.15,12,253/- to the Petitioner, was set-aside the by the Section 34 court only to the extent of pre-reference and *pendente lite* interest with a direction that the said interest claim can be adjudicated afresh.

2. Accordingly, the Petitioner seeks appointment of a new Arbitrator for limited purpose of deciding its entitlement to interest and the related deductions claimed by it.

3. 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 agreement.



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

5. Further, the learned Counsel for the Respondent has no objection with respect to the reference of the disputes to arbitration. In the aforesaid circumstances, this Court finds no impediment in appointing a Sole Arbitrator.

6. Accordingly, Ms. Abha Malhotra, Advocate (Mob. No. 9810777876) 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 three weeks from today.

7. 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 three weeks of entering reference.

8. 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.

9. 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.

10. 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 with



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claims and counter claims independently and on their own merits, uninfluenced by any observations contained in the present order.

11. The Registry is directed to send a receipt of this order to Ms. Abha Malhotra, learned Arbitrator through all permissible modes including email.

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

OM PRAKASH SHUKLA, J

AUGUST 7, 2026/at