



2026:DHC:8937



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010404562026**+ **ARB.P. 1543/2026****M/S SIKKA ASSOCIATES**

.....Petitioner

Through: Mr. Navin Kumar, Sr. Advocate
with Ms. Surbhi Agarwal and
Ms. Rashmeet Kaur,
Advocates.

versus

AIRPORTS AUTHORITY OF INDIA

.....Respondent

Through: Mr. Vaibhav Kalra, Advocate.

CORAM:**HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****JUDGMENT(ORAL)**

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08.10.2026

1. The present petition under Sections 11(5) and 11(6) of the Arbitration and Conciliation Act, 1996¹ has been filed seeking appointment of a Sole Arbitrator for adjudication of disputes arising out of the Consultancy Agreement executed between the parties.

2. It is the case of the Petitioner that despite completion of the consultancy works and submission of its final bill dated 04.03.2024 for Rs.4,24,49,293/-, the Respondent has failed to release the amounts claimed as due.

3. The arbitration agreement was allegedly invoked *vide* notice dated 01.07.2026 but the parties could not constitute the Arbitral Tribunal.

Signature Not Verified¹ "Act" hereinafter

Signed By: GUNN ARB.P. 1543/2026
Signing Date: 09.10.2026
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4. In a nutshell, the dispute principally concerns the Petitioner's entitlement to the unpaid amount under the 8th and 9th RA bill and the final bill.

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, Hon'ble Ms. Justice Asha Menon, Former Judge, Delhi High Court (Mob. No.9910384664) 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.

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 three 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, maintainability 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. Asha Menon, learned Arbitrator through all permissible modes including email.

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

OM PRAKASH SHUKLA, J

OCTOBER 8, 2026/pa