



2026:DHC:8968



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010434932026**+ **O.M.P.(I) (COMM.) 418/2026 & I.A. 28126/2026****L AND T FINANCE LIMITED**

.....Petitioner

Through: Mr. Jayant Mehta, Sr. Adv.
with Mr. Udit Mendiratta, Mr.
Durga Manda, Mr. Shivkrit Rai,
Ms. Apeksha Singh, Mr. Prithvi
Sinha and Ms. Manasvini Jain,
Advs.

versus

PRAKASH CHANDRA BAJPAI AND ORSRespondents

Through: Mr. Bharat Arora, Mr. Vikhyat
Oberoi and Ms. Akshata
Satluri, Advs. for R-1 to 5
along with R-2 party in person
Mr. Manohar Malik, Mr.
Praveen Sharma, Mr. Aryan
Malik and Mr. Diwaker Vikram
Singh, Advs. for R-6 and 7.
Mr. Devashish Bhaduria, Adv.
for Applicant in I.A.
26165/2026.

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

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09.10.2026**I.A. 26165/2026 (Impleadment)**

1. The present application has been filed on behalf of the
Applicant seeking impleadment.

2. At the outset, Mr. Devashish Bhaduria, learned Counsel
appearing on behalf of the Applicant seeks leave to withdraw the

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present application.

3. Accordingly, the present application is dismissed as withdrawn.

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4. The present petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996¹ seeking interim measures.

5. Learned Counsel appearing on behalf of all the parties are *ad idem* that an Arbitrator can be appointed for adjudication of the disputes arisen between the parties.

6. Accordingly, all the parties by consent waive their contractual and formal procedure under the Act and agree to appointment of a Sole Arbitrator.

7. In view of the above, this Court finds no impediment in appointing an arbitrator.

8. Parties jointly propose and agree to appointment of Hon'ble Mr. Justice Rajiv Sahai Endlaw, Former Judge, Delhi High Court as Sole Arbitrator to adjudicate the disputes between the parties.

9. Accordingly, Hon'ble Mr. Justice Rajiv Sahai Endlaw, Former Judge, Delhi High Court (Mob. No.9717495002) is appointed as a learned Sole Arbitrator to adjudicate the disputes arisen between the parties. The learned Sole Arbitrator shall enter upon the reference

Signature Not Verified ¹ "Act" hereinafter

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within three weeks from today.

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. The learned Sole Arbitrator shall adjudicate the disputes with claims and counter claims 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 Hon’ble Mr. Justice Rajiv Sahai Endlaw (Retd.), learned Sole Arbitrator through all permissible modes including email.

14. Accordingly, after constitution of the Arbitral Tribunal, the present petition filed under Section 9 of the Act shall stand treated as an application under Section 17 of the Act and the same shall be considered and decided by the learned Sole Arbitrator upon entering into the reference.



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15. All the parties undertake that they will not take any unnecessary adjournment and the learned Sole Arbitrator is requested to decide the application under Section 17 within 30 days from the date of constitution of the Arbitral Tribunal.

16. The present petition is disposed of in the aforesaid terms. Pending application(s), if any, also stand disposed of.

17. *Dasti.*

OM PRAKASH SHUKLA, J

OCTOBER 9, 2026/gunn