



2026:DHC:9141



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010298742026
+ **ARB.P. 1130/2026**
GEOQUEST INDIA PVT LTD Petitioner
Through: **Mr. Sachin Sharma, Advocate.**

versus

BHARAT CONSTRUCTIONS INDIA PVT LTD
.....Respondent
Through: **None.**

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

% **12.10.2026**

1. On the last date of hearing, notice was issued to the Respondent and the Respondent was asked to file reply to the present petition. However, the same has not been filed. On a perusal of the affidavit of service filed, it appears that the notice has been duly served on the Respondent.

2. Despite the opportunity so granted, none appears on behalf of the Respondent. The Respondent has also failed to file reply to the present petition.

3. In view thereof and considering that the Respondent has chosen not to participate despite sufficient service, this Court finds no impediment in appointing a Sole Arbitrator.

4. The tracking details placed on record establish that the Respondent has been duly served at their address. The proof of service, as reflected from the tracking details is reproduced herein

Signature Not Verified

Signed By: ANUBHAK
TRIPATHI
Signing Date: 14.10.2026
20:09:46

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below:-

Department of Posts
Government of India
Ministry of Communications

Generated through Indiapost website on: 25/9/2026, 5:05:55 pm

Consignment/MO Tracking Report

Consignment/MO Number: SU002923025IN

Article Number:	Article Type:	Tariff:
SU002923025IN	SP_INLAND_DOC	₹ 44.8
Booked At:	Booked On:	Destination:
Delhi High Court Extension Counter SO	23/09/2026, 14:08:24	Anand Vihar SO
Origin Pincode:	Delivered On:	Destination Pincode:
110003	25/09/2026, 14:01:05	110092

Event	Date	Time	Office	Remarks
Item Booked	23/09/2026	14:08:24	Delhi High Court Extension Counter SO	-
Item bagged	23/09/2026	16:14:07	Delhi High Court Extension Counter SO	-
Item Dispatched	23/09/2026	16:16:32	Delhi High Court Extension Counter SO	-
Bag Received	23/09/2026	21:33:58	New Delhi NSH	-
Item Received	24/09/2026	09:33:50	New Delhi NSH	-
Item bagged	24/09/2026	12:23:54	New Delhi NSH	-
Item Dispatched	25/09/2026	05:40:38	New Delhi NSH	-
Bag Received	25/09/2026	07:46:44	-	-
Item received at Destination	25/09/2026	08:20:49	-	-
Taken out for delivery	25/09/2026	09:35:25	Krishna Nagar DC	-
Item Delivered(Addressee)	25/09/2026	14:01:05	Krishna Nagar DC	Article Delivered to arun kumar Aggarwal

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Department of Posts
Government of India
Ministry of Communications

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Consignment/MO Tracking Report

Consignment/MO Number: SU002923039IN

Article Number

SU002923039IN

Article Name

SP_INLAND_DOC

₹ 100.2

Booked At

Delhi High Court Extension Counter SO

Booked On

23/09/2026, 14:08:24

Destination

Araghar SO

Origin Mailsort

110003

Flight Date/Time

25/09/2026, 16:26:25

248001

Event	Date	Time	Office	Remarks
Item Booked	23/09/2026	14:08:24	Delhi High Court Extension Counter SO	-
Item bagged	23/09/2026	16:08:14	Delhi High Court Extension Counter SO	-
Item Dispatched	23/09/2026	16:16:32	Delhi High Court Extension Counter SO	-
Bag Received	23/09/2026	21:33:58	New Delhi NSH	-
Item Received	24/09/2026	00:27:59	New Delhi NSH	-
Item bagged	24/09/2026	04:41:57	New Delhi NSH	-
Item Dispatched	24/09/2026	05:57:07	New Delhi NSH	-
Bag Received for Forwarding	24/09/2026	07:59:08	Delhi AP TMO	-
Item Dispatched	24/09/2026	10:17:59	Delhi AP TMO	-
Bag Received for Forwarding	24/09/2026	22:30:43	MA Dehradun	-
Item Dispatched	24/09/2026	22:32:58	MA Dehradun	-
Bag Received	24/09/2026	23:09:48	Dehradun NSH	-
Item Received	25/09/2026	00:17:54	Dehradun NSH	-

Event	Date	Time	Office	Remarks
Item bagged	25/09/2026	01:58:58	Dehradun NSH	-
Bag Received for Forwarding	25/09/2026	06:08:21	MA Dehradun	-
Item Dispatched	25/09/2026	06:18:26	MA Dehradun	-
Bag Received for Forwarding	25/09/2026	07:52:05	Dehradun GPO	-
Bag Received	25/09/2026	07:52:29	Dehradun GPO	-
Item received at Destination	25/09/2026	08:18:47	Dehradun GPO	-
Taken out for delivery	25/09/2026	10:47:56	Dehradun GPO	-
Item Delivered (Addressee)	25/09/2026	16:26:25	Dehradun GPO	Article Delivered to y

5. The work order dated 12.04.2024 contains an arbitration clause

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being Clause 19. Clause 19 of the work order provides for resolution of disputes through a three-member Arbitral Tribunal where each party nominating each Arbitrator and the two Arbitrators nominating jointly the presiding Arbitrator.

6. 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 agreement¹.

7. In the present case, this Court is of the view that a valid arbitration agreement exists between the parties.

8. The Petitioner invoked arbitration *vide* notice dated 08.04.2026 and nominated its nominee Arbitrator. However, the Respondent failed to nominate its Arbitrator insisting the filing of the present petition.

9. The claimed amount is stated to be Rs.1,22,14,225/- approx.

10. In the aforesaid circumstances, this Court finds no impediment in appointing a Sole Arbitrator.

11. Accordingly, Mr. Arvind Kumar, learned District Judge (Retd.) (Mob. No. 9717497303) 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.

¹ **SBI General Insurance Co. Ltd. v. Krish Spinning** 2024 SCC OnLine SC 1754



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12. 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.

13. 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.

14. 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.

15. 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.

16. The Registry is directed to send a receipt of this order to Mr. Arvind Kumar, learned Arbitrator through all permissible modes including email.

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

OM PRAKASH SHUKLA, J

OCTOBER 12, 2026/pa

Signature Not Verified

Signed By: ANUBHAKA RB.P. 1130/2026

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Signing Date: 14.10.2026

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