



2026:DHC:7863



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

CNR No. DLHC010309532026

+ **ARB.P. 1177/2026 & I.A. 24928/2026**

KARYAN AMUSEMENT LLP

.....Petitioner

Through: **Mr. Preet Singh Oberoi, Mr. Jai Vaj Maini, Advs.**

versus

KU HOSPITALITY & ANR.

.....Respondents

Through: **Mr. Tamim Quadri, Mr. Anubhav Bhasin, Mr. Saeed Quadri, Advs.**

CORAM:

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

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14.09.2026

The case is being listed today as 11.09.2026 was declared a Holiday vide Notification No. 86/G-4/Genl.-I/DHC dated 08.09.2026.

1. Learned Counsel for the Respondent submits that he has no objection against the appointment of an arbitrator.

2. 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.

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

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



2026:DHC:7863



amount is approximately Rs.4 Crores.

4. 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.

5. Accordingly, Ms. Nisha Bhambhani, Advocate (Mob. No. 9811042721) 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.

6. 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.

7. 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.

8. 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.

9. It is clarified that the observations made herein are only for the purpose of deciding the present petition under Section 11(6) of the



2026:DHC:7863



Act. 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.

10. The Registry is directed to send a receipt of this order to Ms. Nisha Bhambhani, learned Arbitrator through all permissible modes including email.

11. Accordingly, the present petition is disposed of in the above terms along with all pending applications.

OM PRAKASH SHUKLA, J

SEPTEMBER 14, 2026/at