



2026:DHC:7943



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010338312026**+ **ARB.P. 1264/2026, I.A. 20017/2026****CHAUHAN TOURIST TRANSPORT SERVICES**

.....Petitioner

Through: Ms. Vinita Sharma, Adv.

versus

K.T.C. INDIA PVT. LTD.

.....Respondent

Through: Mr. Ghanshyam Sharma and
Mr. Lokesh Arya, Adv. with
Mr. Adil Khan, AR.**CORAM:****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****ORDER(ORAL)**% **15.09.2026**

1. Mr. Ghanshyam Sharma, learned Counsel appears on behalf of the Respondent and submits that he does not have any objection to 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 case, there is no dispute with regard to the existence of a valid arbitration clause between the parties.

4. Further, the parties are *ad idem* with respect to the reference of

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



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the disputes to arbitration. Therefore, this Court finds no impediment in appointing a Sole Arbitrator.

5. Accordingly, Ms. Raunaq Bahadur, Advocate (Mob. No. +91-9910093951) 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.

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 two 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. The Respondent shall be at liberty to raise all preliminary objections with respect to the arbitrability and jurisdiction, if any, which shall be decided by the learned Sole Arbitrator 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 Act. The learned Sole Arbitrator shall adjudicate the disputes independently and on their own merits, uninfluenced by any



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observations contained in the present order.

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

11. Accordingly, the present petition is disposed of in the above terms. Pending application(s), if any, also stand disposed of.

OM PRAKASH SHUKLA, J

SEPTEMBER 15, 2026/gunn