



2026:DHC:9342



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010460782026**+ **ARB.P. 1725/2026****ENA FOOTWEAR PVT. LIMITED**

.....Petitioner

Through: Mr Bhaskar Tiwari, Mr. Mukul
Bawa and Ms. Shreya Singhal,
Advs.

versus

THE NEW INDIA ASSURANCE COMPANY LIMITED

.....Respondent

Through: Mr. Abhishek Kumar Gola and
Mr. Anshul Mehral, Adv.**CORAM:****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****JUDGMENT(ORAL)**

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16.10.2026

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996¹ seeking appointment of a Sole Arbitrator.

2. Both parties are *ad idem* that the disputes can be referred to arbitration.

3. Learned Counsel appearing on behalf of both parties are also *ad idem* with regard to the appointment of Hon'ble Mr. Justice J.R. Midha, Former Judge of the Delhi High Court, as the Sole Arbitrator.

4. Accordingly, Hon'ble Mr. Justice J.R. Midha, Former Judge, Delhi High Court (Mob. No.9717495003) is appointed as a learned

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Sole Arbitrator to adjudicate the disputes arisen between the parties. The learned Sole Arbitrator shall enter upon the reference within three weeks from today.

5. 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.

6. 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.

7. 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.

8. 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.

9. The Registry is directed to send a receipt of this order to Mr. J.R. Midha, learned Arbitrator through all permissible modes including email.

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Act" hereinafter

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

OM PRAKASH SHUKLA, J

OCTOBER 16, 2026/gunn

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