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

\# **CNR No. DLHC010390802026**

\+ ARB.P. 1489/2026 & I.A. 22713/2026

PARDEEP KUMAR .....Petitioner

Through: Mr. Hitesh Goyal and Mr. Jagbir Singh, Advocates.

versus

M/S OMAXE LTD. THROUGH ITS DIRECTORS .....Respondent

Through: Ms. Ishita Singh, Adv.

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% 20.11.2026

1. At the outset, learned Counsel for the Respondent submits that she does not dispute the existence of the arbitration clause.

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 agreement[1].

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

4. The claimed amount is stated to be Rs.3 crores approx.

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

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5. 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.

6. Accordingly, Ms. Lalit Mohini Bhat, Advocate, (Mob. No. 9910155009) 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.

7. 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.

8. 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.

9. It shall be open to the parties to raise all pleas, including objection as to arbitrability and jurisdiction or any other objection, before the learned Sole Arbitrator who shall decide the same in accordance with law.

10. 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.

11. The Registry is directed to send a receipt of this order to Ms. Lalit Mohini Bhat, learned Arbitrator through all permissible modes including email.

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

OM PRAKASH SHUKLA, J

NOVEMBER 20, 2026/pa

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