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

\# **CNR No. DLHC010268102026**

\+ ARB.P. 1016/2026 & I.A. 16246/2026

M/S CONARCH ASSOCIATES .....Petitioner

Through: Mr. Sudeep Vijayan, Mr. Gaurav Varma and Mr. Vivek Rudra, Advocates.

versus

HSCC (INDIA) LTD & ORS. .....Respondents

Through: Mr. Vivek Tyagi, Advocate for R-1.
Mr. Anubhav Sharma and Ms. Divya Verma, Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

% 25.11.2026

1. The parties are *ad idem* that the matter can be referred to arbitration for adjudication of disputes arising between the parties.

2. It is well settled that, while exercising jurisdiction under Section 11 of the Arbitration and Conciliation Act, 1996[1], the scope of enquiry is confined to examining the *prima facie* existence of an arbitration agreement[2].

3. In the present case, there is no dispute with regard to the

[1] "Act" hereinafter

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

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existence of a valid arbitration clause between the parties.

4. The claimed amount is stated to be Rs.2.5 crores approx.

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. Rasveen Kaur Kapoor, Advocate (Mob. No.8319377148) 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, 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

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purpose of deciding the present petition under Section 11

11. 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.

12. The Registry is directed to send a receipt of this order to Ms. Rasveen Kaur Kapoor, learned Arbitrator through all permissible modes including email.

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

OM PRAKASH SHUKLA, J

NOVEMBER 25, 2026/pa

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