



2026:DHC:8561



\$~7

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010311512026**+ **ARB.P. 1179/2026 & I.A. 18672/2026****SUNSTONE EDUCATION TECHNOLOGY PVT. LTD.****(NOW KNOWN AS ELEVATE EDUCATION****TECHNOLOGY PVT. LTD.)**

.....Petitioner

Through: **Mr. Ankit Anandraj Shah, Mr.
Ankit Kumar Tiwari, Ms.
Samiksha Yadav, Advs.**

versus

VESTOR COLLEGE

.....Respondent

Through: **Mr. Inderjeet Tanwar and Mr.
Bhavesh Kumar Sharma, Advs.****CORAM:****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****JUDGMENT(ORAL)**

%

29.09.2026

1. It is well settled that while exercising jurisdiction under Section 11 of the Arbitration and Conciliation Act, 1996, the scope of enquiry is confined to examining the *prima facie* existence of an arbitration agreement¹.

2. In the present case, there is no dispute with regard to the existence of a valid arbitration agreement. In the aforesaid circumstances, this Court finds no impediment in appointing a Sole Arbitrator.

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



2026:DHC:8561



3. The claim amount in the present petition is Rs.85,35,069/-
4. Learned Counsel appearing for the Respondent has not disputed the arbitration clause. He only submits that the name of the petitioner company has been changed.
5. Accordingly, Mr. Manish Verma, Advocate (Mob. No. 9811304202) 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



2026:DHC:8561



purpose of deciding the present petition under Section 11(6) of the 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 Mr. Manish Verma, learned Arbitrator through all permissible modes including email.

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

OM PRAKASH SHUKLA, J

SEPTEMBER 29, 2026/at