



\$~11

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

+ **ARB.P. 224/2025**

DIXON TECHNOLOGIES (INDIA) LIMITEDPetitioner

Through: Mr. Tushar Kumar, Mr. Ishan Sehgal,
Ms. Varnika Bajaj, Mr. Junaid
Qureshi, Ms. Sonal Gupta, Advs.

versus

M/S JAIICO & ANR.Respondents

Through: Ms. Pallavi Singhal, Mr. Vibhu
Nandan and Mr. Divyansh Singh,
Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

%

06.02.2025

1. The Petitioner has approached this Court under Section 11(6) of the Arbitration & Conciliation Act seeking appointment of an Arbitrator to adjudicate upon the disputes which have arisen between the Petitioner and the Respondent No.1 herein under the Standard Transportation Agreement dated 01.03.2021 & Customs Clearing Agent Agreement dated 01.04.2022.
2. Though Respondent No.2 has also been impleaded in the array of parties, when this Court suggested that since Respondent No.2 is not a signatory to the Agreements, Respondent No.2 ought to be deleted from the array of parties, learned Counsel for the Petitioner seeks permission to delete Respondent No.2 from the array of parties with liberty to move an application under Order I Rule 10 of the CPC before the Arbitrator to establish that Respondent No.2 is a necessary party under the Agreements for the adjudication of the disputes.
3. Leave and liberty, as prayed for, is granted. Respondent No.2 is



deleted from the array of parties.

4. In view of Clause 12 of the Standard Transportation Agreement dated 01.03.2021 & Clause 23 of the Customs Clearing Agent Agreement dated 01.04.2022, which are the Arbitration Clauses, which states that the seat of Arbitration will be Delhi, this Court is inclined to appoint an Arbitrator to adjudicate upon the disputes between the parties.

5. Accordingly, Justice Arvind Sangwan, Former Judge, High Court of Judicature at Allahabad, (Mob:- 7347025003) is appointed as a Sole Arbitrator to adjudicate upon the disputes between the parties.

6. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

7. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the Arbitration & Conciliation Act within a week of entering on reference.

8. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

9. Needless to say, nothing in this order shall be construed as an expression of this Court on the merits of the contentions of the parties.

10. The present petition stands disposed of in the above terms along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 6, 2025

Rahul