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

+ **ARB.P. 337/2026 & I.A. 4825/2026**

M/S TOREX INTERIORS PVT LTD

.....Petitioner

Through: Mr. Shakeel Ahmed and Mr. A.R. Mr.
Mohd Suleman, Advs.

versus

LEO 2 ROBOTIC JOINT REPLACEMENT CENTRE & ANR.

.....Respondents

Through: Mr. Mansi Bajaj and Mr. Saatvik
Khurana, Advs.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

ORDER

23.03.2026

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1. The present petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') for appointment of an arbitrator.
2. The brief facts are that the parties to the lis entered into a Commercial Contract Agreement dated 23.07.2021 pursuant to an offer dated 15.07.2021 for execution of civil, interior, plumbing, electrical and allied works at Leo-2 Robotic Joint Replacement Centre, Savera Hospital, Patna, Bihar. The petitioner completed the work and raised invoices amounting to Rs. 3,17,02,427/- out of which Rs. 1,65,38,425/- was paid leaving an outstanding amount of Rs. 1,51,64,002/-. A completion certificate was issued on 17.09.2022. The petitioner initiated pre-institution mediation under Section 12A of the Commercial Courts Act, 2015 which resulted in a non-starter report dated 24.03.2023. A legal notice dated 29.03.2023 and a



notice invoking arbitration dated 03.01.2024 were issued however, no arbitrator was appointed.

3. Learned counsel for the respondents on instructions has no objection for referring the matter to arbitration.

4. Accordingly, the petition is allowed by appointing Mr. Pawan Kumar Jain, Additional District Judge (Retired) (Mobile No.: 9910384744), with the consent of the parties, as the sole arbitrator for adjudication of the disputes which have arisen between the parties.

5. The fees of the learned Arbitrator will be governed by Schedule IV of the Act. Before entering upon reference, the learned Arbitrator will comply with Section 12 of the Act.

6. It is made clear that since this Court has not expressed any opinion on the merits of the rival claims of the parties, it will be open for the parties to file their respective claims/counter claims before the learned Arbitrator which will be considered in accordance with law.

7. A copy of this order be forwarded to the learned Arbitrator for information.

AVNEESH JHINGAN, J

MARCH 23, 2026/Pa