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

+ ARB.P. 1871/2025

SALIL KUMAR

.....Petitioner

Through: Mr. Meenal Garg, Adv.

versus

INDIA TOURISM DEVELOPMENT CORPORATION LIMITED

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

10.11.2025

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1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 [*hereinafter referred to as "A&C Act"*] by the Petitioner seeking appointment of an Arbitrator to adjudicate upon the disputes between the parties under an execution of the work of "Memorial of Smt. Vidyavati Ji Mother of Great Martyr Shaheed Bhagat Singh Ji at the Village Moranwali Distt. Hoshiarpur, Punjab".

2. It is stated that the parties entered into a Contract dated 02.07.2012 for the aforementioned work. It is stated that disputes arose between the parties regarding payment of amount as claimed by the Petitioner. The Respondent appointed Justice S. P. Garg (Retd.), former Judge of this Court, as the Sole Arbitrator to adjudicate upon the disputes between the parties. An Award was passed on 09.05.2020 which was a subject matter of a petition being OMP (COMM) 184/2021 filed under Section 34 of the A&C Act wherein



the award dated 09.05.2020 was upheld. However, the said Award was set aside in the proceedings initiated under Section 37 of the A&C Act. Since the disputes remain unadjudicated, the Petitioner has filed the instant petition for appointment of an Arbitrator.

3. Though the work was to be executed in Hoshiarpur, Punjab, the Contract was entered into between the parties in New Delhi. Moreover, the Head Office of the Respondent is in New Delhi and, therefore, this Court prima facie has the jurisdiction to entertain the present petition.

4. Issue notice.

5. On taking steps, let notice be issued to the Respondent through all permissible modes, including *Dasti*.

6. List on 04.02.2026.

SUBRAMONIUM PRASAD, J

NOVEMBER 10, 2025

S. Zakir