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

+ **ARB.P. 2116/2025**

QIAGEN INDIA PVT LTD

.....Petitioner

Through: Mr. Ayush Goel, Mr. Praveen Aggarwal, and Mr. Ved Prakash Verma, Advocates.

versus

KAUSHAL KISHOER GUPTA

.....Respondent

Through: Mr. Kirti S. Javali, Advocates.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **13.07.2026**

1. Mr. Kirti S. Javali, learned counsel appearing for the respondent, at the outset, draws attention of this Court to Clause 5.9 of the Agreement dated **01.01.2017**, whereby the resolution of disputes by arbitration has been enumerated.

2. He states, it is trite that wherever in the agreements, neither the venue nor the seat of arbitration is mentioned or the jurisdiction of Courts entered into to decide dispute, have been referred to or mentioned, the jurisdiction of the High Court for appointment of an arbitrator shall be determined in accordance with Sections 16 to 20 of the Code of Civil Procedure, 1908. He relies upon the judgment of a coordinate bench of this Court in ***Kings Chariot through its Sole Proprietor Mrs. Neelima Suri vs. Tarun Wadhwa***, 2024 SCC Online Delhi 4039 in support of his contention.

3. He invites attention of this Court to para 23 of the aforementioned judgment to submit that the said ratio in ***Kings Chariot (supra)*** was predicated on the judgment of the Supreme Court in ***Ravi Ranjan Developers Pvt. Ltd v. Aditya Kumar Chatterjee***, 2022 SCC Online SC 568. He states that in the



present case, the subject agreement is bereft of any reference to seat or venue of arbitration. He also states that there is no jurisdiction conferred on any Court to decide any other disputes apart from arbitration. He also states that the agreement was executed in Varanasi, the payments in *lieu* of deliveries were to be made at Varanasi, the deliveries themselves were to be made in Varanasi. Having regard to the aforesaid, learned counsel states that this Court would not have appropriate territorial jurisdiction to pass any orders.

4. Learned counsel for the petitioner seeks some time to peruse the judgments referred to above and address arguments on the maintainability of the present petition.

5. Accordingly, list on 12.08.2026.

TUSHAR RAO GEDELA, J

JULY 13, 2026

Sumit