



\$~1

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

+ **ARB.P. 1/2026**

PRATHAM CREATIONS

.....Petitioner

Through: Ms. Surbhi Sharma and Mr. Ishan
Saxena, Advocates
Mob: 9899534858
Email: ishan@cslawchambers.com

versus

NINOLINE EDUTECH

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

05.01.2026

%

1. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 ("Arbitration Act"), seeking appointment of a Sole Arbitrator for adjudication of the disputes between the parties arising out of the Manufacturing Agreement dated 01st September, 2019.

2. Learned counsel appearing for the petitioner submits that petitioner and the respondent entered into a Manufacturing Agreement dated 01st September, 2019 for a period of five (05) years, wherein, the petitioner was appointed as a manufacturer of pre-school material, by the respondent.

3. It is submitted that the respondent, *vide* an E-mail dated 26th February, 2020 had terminated the aforesaid Manufacturing Agreement, pursuant to which, the security deposit was to be refunded by the respondent and the stock remaining with the petitioner was to be dispatched to the respondent.



4. It is further submitted that the respondent had made certain intermittent partial payments, however, an amount of Rs. 14,24,575/- remains outstanding and is payable to the petitioner in terms of the Manufacturing Agreement.

5. Learned counsel appearing for the petitioner draws the attention of this Court to the Clause 13.4 of the Manufacturing Agreement dated 01st September, 2019 to submit that there exists an Arbitration Clause, which provides for adjudication of any disputes arising between the parties by way of arbitration.

6. She further submits that on account of the dispute between the parties, the petitioner had duly sent a Notice dated 08th September, 2025 under Section 21 of the Arbitration Act, invoking the aforesaid Arbitration Clause and calling upon the respondent to participate in the process of appointment of a Sole Arbitrator within a period of seven (07) days from the receipt of the said Notice.

7. However, the aforesaid Notice has not been replied to by the respondent. Thus, in these circumstances, the petitioner has been constrained to approach this Court under Section 11 of the Arbitration Act.

8. Accordingly, issue notice to the respondent, by all modes, returnable on 29th January, 2026.

MINI PUSHKARNA, J

JANUARY 5, 2026/SK