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

+ **ARB.P. 54/2026 & I.A. 436/2026**

INTEC CAPITAL LTD.

.....Petitioner

Through: Ms. Pooja Chaudhary and Mr. Pranav
Goyal, Advs. (Through VC)

versus

MS BHARTI BERRY & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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09.01.2026

I.A. 436/2026 (For condonation of delay in re-filing the petition)

1. The present is an application filed on behalf of petitioner under Section 151 of the Code of Civil Procedure, 1908 ("CPC"), for condoning the delay of 25 days in re-filing the present petition.
2. Considering the submissions made before this Court, the delay of 25 days in re-filing the petition is condoned.
3. With the aforesaid direction, the present application is accordingly disposed of.

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4. The present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 ("Arbitration Act"), seeking appointment of an Arbitrator from the panel of Delhi International Arbitration Centre ("DIAC"), for adjudication of the disputes between the



parties, arising out of default in payment of installment by the respondents in terms of the Loan-cum-Guarantee Agreement dated 30th July, 2016.

5. Learned counsel appearing for the petitioner submits that the Arbitration Clause is contained in Clause 18.1 of the Agreement executed between the parties. Further, a notice dated 22nd July, 2024 was sent by the petitioner to the respondents under Section 21 of the Arbitration Act, invoking the said Arbitration Clause. The said notice sent by the petitioner was duly received by the respondents on 24th July, 2024. However, the respondents have neither complied with nor replied to the said notice.

6. Issue notice to the respondents, by all modes, returnable on 10th February, 2026.

MINI PUSHKARNA, J

JANUARY 9, 2026/SK