

Ms PS2 Consultants vs Ms Alpha Corp Development Private Limited

Ms PS2 Consultants vs Ms Alpha Corp Development Private Limited

SooperKanoon Citation : sooperkanoon.com/1263720

Court : Delhi Orders

Decided On : May-04-2026

Judge : Hon'Ble Mr. Justice Vikas Mahajan

Appeal No. : ARB.P./804/2026

Appellant : Ms PS2 Consultants

Respondent : Ms Alpha Corp Development Private Limited

Advocate for Def. : Mr. Surjendu Sankar Das, Ms. Annie Mittal, Mr. Vishal Rishi
Srivastava

Advocate for Pet/Ap. : Mr. Nitin Mangla, Mr. Nishchay Kapoor

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ ARB.P. 804/2026 MS PS2 CONSULTANTSPetitioner Through: Mr.
Nitin Mangla and Mr. Nishchay Kapoor, Advocates.

versus

MS ALPHA CORP DEVELOPMENT PRIVATE LIMITEDRespondent
Through: Mr. Surjendu Sankar Das, Ms. Annie Mittal and Mr. Vishal Rishi

Srivastava, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% 04.05.2026

1. By way of the present petition filed under Section 11(6) of the

Arbitration and Conciliation Act, 1996 (hereinafter the Act) petitioner seeks appointment of an Arbitrator to adjudicate the disputes between the parties under the agreement being work order bearing no. ACDPL/KKJ/PS2C/VO/ACWTC/2023-24/001 dated 01.02.2024.

2. The agreement provides for the resolution of the disputes by arbitration. Clause 44 of the work order contains an arbitration clause. The clause also provides that seat of arbitration shall be at Delhi.

3. The disputes having arisen between the parties, petitioner invoked the

arbitration clause by giving a notice dated 16.03.2026 in terms of Section 21 of the Act. However, reply was received by the petitioner from the respondent after the filing of the present petition.

4. Issue notice. Mr. Surjendu Sankar Das, learned counsel appearing on

behalf of the respondent accepts notice. He submits that in the reply given of the respondent an objection has been taken with regard to the arbitrability of part of the claim. He submits that the respondent be given liberty to raise that objection before the learned Arbitrator.

5. At the stage of proceedings under Section 11(6) of the Act, the Court is only required to satisfy itself, prima facie, as to the existence of the arbitration agreement. All other questions are to be left to the determination

6. Insofar as the arbitration agreement is concerned, the same is not disputed.
7. In that view of the matter, present petition is allowed and disputes between the parties are referred to arbitration of Mr. Santosh Kumar, Advocate: [Mob.: 9310747175, Email ID: santoshkrs01@gmail.com].
8. The arbitration will be held under the aegis of Delhi International Arbitration Centre (DIAC), Delhi High Court, Sher Shah Road, New Delhi and will be governed by the Rules of DIAC including as to the remuneration
9. The learned Arbitrator is requested to furnish a declaration under Section 12 of the Act prior to entering upon the reference.
10. It is made clear that all rights and contentions of the parties are left open for adjudication by the learned Arbitrator.
11. Petition stands disposed of. VIKAS MAHAJAN, J MAY 4, 2026/jg

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com