IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

ARBITRATION PETITION NO. 79 OF 2026

JASPER COLIN RESEARCH INC. PETITIONER(S)

VERSUS

KELLTON TECH SOLUTIONS LIMITED RESPONDENT(S)

O R D E R

1. This petition under Section 11(6) of the Arbitration and Conciliation Act, 1996 (Act), seeks the appointment of a sole arbitrator to adjudicate disputes arising from a Software Development Agreement executed between the Petitioner and the Respondent.

2. Briefly observed, the Petitioner, Jasper Colin Research Inc., is a company incorporated in the United States of America, engaged in the business of research/survey and allied services. The Respondent, Kellton Tech Solutions Limited, is a software company incorporated in India. The parties entered into a Software Development Agreement dated 24.02.2025 (SDA), whereunder the Respondent was engaged as to design, develop, test, deploy, and implement a custom Survey Module for the Petitioner. The work was to proceed in defined milestones, with a stipulated contractual target date for delivery of the software. Clause 19 thereof provides that disputes not resolved through amicable negotiation within 30 days shall be referred to a Sole Arbitrator under the Arbitration and Conciliation Act, 1996, with the seat at New Delhi.

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3. It is alleged that the Respondent delayed delivery at various stages, delivered defective and incomplete work, and failed to complete milestones 3 and 4 and the 'Code Knowledge Transfer' within the Target Date passing without delivery. The Respondent has, *per contra*, disputed these allegations and attributed the delays the Petitioner's actions/inactions. The Petitioner, thereafter, terminated the Agreement by communication dated 29.07.2026, while the Respondent has issued communications demanding payment.

4. The Petitioner, thus, issued an arbitration notice dated 21.08.2026 to the Respondent, invoking Clause 19 and suggesting the name of a former Judge of this Court for appointment as the Sole Arbitrator. It is stated that the Respondent did not reply within 15 days, prompting the Petitioner to file the instant Petition under Section 11 of the Act.

5. We have heard learned counsel for the parties and perused the material placed on record.

6. Keeping in view the facts and circumstances recorded above and the relevant provision(s) under the SDA, we deem it just and proper to allow the instant Arbitration Petition and appoint Justice Rekha Palli, former Judge, Delhi High Court as the Sole Arbitrator to resolve the disputes between the parties. The seat and venue of arbitration, in accordance with the arbitration agreement, shall be New Delhi, India.

7. The Arbitrator shall have the liberty to fix her own remuneration/fees. Ordered accordingly.

8. Pending interlocutory applications, if any, also stand disposed of.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

NEW DELHI;
OCTOBER 16, 2026.

ITEM NO.26 COURT NO.1 SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Arbitration No(s). 79/2026

JASPER COLIN RESEARCH INC. Petitioner(s)

VERSUS

KELLTON TECH SOLUTIONS LIMITED Respondent(s)

Date : 16-10-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI

For Petitioner(s) : Mr. Nikhil Singhvi, Adv.
Ms. Shraddha Deshmukh- 3342, AOR
Mr. Sanchit Singh, Adv.
Mr. Soham Krishan Luthra, Adv.
Mr. Sarthak Gupta, Adv.

For Respondent(s) : Mr. Rakesh Kumar, AOR
Mr. Rupesh K. Sinha, Adv.
Mr. Sataroop Das, Adv.
Ms. Tamanna Jangra, Adv.
Mr. Aashish Kumar, Adv.
Mr. Harshit Sharma, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The Arbitration Petition is allowed in terms of the signed order.

Pending interlocutory applications, if any, also stand disposed of.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR

(Signed order is placed on the file)

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