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

+ O.M.P.(I) (COMM.) 322/2024

ACCELERATE PRODUCTX VENTURES PRIVATE LIMITED

.....Petitioner

Through: Mr. Humraz Bir Singh and Mr.
Aadyasha Mohanty, Advs.

versus

C AND S ENTERPRISE & ORS.

.....Respondents

Through: Mr. Sanchit Gupta, Adv. (through
v/c)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

07.11.2024

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1. The present petition under Section 9 of the Arbitration and Conciliation Act, 1996 (hereinafter "*the A&C Act*") seeks certain interim orders on account of disputes between the parties under a Franchise Agreement dated 22.06.2023 (hereinafter "*the Agreement*").

2. It is averred in the petition that the petitioner is engaged in the business of operating highly specialised convenience retail stores under the brand name of "The New Shop" catering to the hyperlocal needs of the customers, both offline and online, for which the petitioner has devised a franchising/licensing mechanism.

3. The Agreement dated 22.06.2023 was executed between the petitioner and the respondent. The petition has been filed on the averment that the respondents have not paid the requisite monthly royalty payable to the petitioner under the Agreement. Further, it is stated that the respondents have opened a competing store in the same line of business, taking



advantage of the intellectual property and the benefits derived by the respondents under the Agreement with the petitioner.

4. Learned counsel for the respondent, who has entered appearance, categorically states on instructions, that the respondents are not presently engaged in operating any store at all, either directly or indirectly, and are not engaged in any competing business. The said statement is taken on record.

5. In view of the aforesaid, learned counsel for the petitioner does not wish to press the present petition. However, the petitioner reserves the liberty to initiate arbitral proceedings for claiming appropriate relief/s against the respondents.

6. Accordingly, the present petition is disposed of with the aforesaid liberty.

SACHIN DATTA, J

NOVEMBER 7, 2024/at