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

+ **O.M.P.(I) 224/2015**

VIOM NETWORKS LIMITED

..... Petitioner

Through: Mr Rahul Sharma, Ms Jyoti Dutt
Sharma and Mr C.K. Bhatt,
Advocates.

versus

M/S SAVEER BIOTECH LIMITED

..... Respondent

Through: Mr Bhupendra Kumar Tyagi,
Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **21.11.2016**

1. This is a petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act') whereby the petitioner has sought certain interim reliefs. By an order dated 15.05.2015, this Court had directed as under:-

"Having heard the learned counsel for the petitioner, till the next date of hearing, the respondent, its servants, employees are directed not to obstruct and/or manhandle and/or prevent the petitioner's employees authorized to maintain/manage/ take care the cell towers/fixtures/fittings installed at the premises i.e. D-54, Site-IV, Industrial Area, Surajpur, Kasna Road, Greater Noida District, U.P., admeasuring 30 feet X 50 feet and also not to tamper with or shut down the power supply to the cell towers in the aforesaid premises."

2. The learned counsel for the petitioner states that the above order may be made absolute till the disposal of the disputes by the arbitrator. The

learned counsel appearing for the respondent states that prayer made by the petitioner is not warranted and the respondent has not created any obstruction as alleged.

3. In view of the above submission, it is apparent that the respondent does not have any objection to the *ad interim* at this stage. Accordingly, the present petition is disposed of by directing that the order passed on 15.05.2015 will continue till the publication of the arbitral award.

4. However, it is clarified that both the parties are at liberty to approach the arbitrator for recall, modification and clarification of the said order. The present order as well as order dated 15.05.2015 shall be subject to any further order(s) that may be passed by the arbitrator.

5. The petition is disposed of with the aforesaid clarifications.

VIBHU BAKHRU, J

NOVEMBER 21, 2016
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