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

+ O.M.P.(I) (COMM.) 52/2017

SH. KULDEEP SINGH

..... Petitioner

Through: Mr J.P. Sengh, Senior Advocate with
Mr Naresh Chahar, Mr Kuldip and
Ms Manisha Mehta, Advocates.

versus

SERA CUE LABS PVT. LTD. & ORS.

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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03.02.2017

IA No.1452/2017

Allowed, subject to all just exceptions.

The application is disposed of.

O.M.P.(I) (COMM.) 52/2017

The petitioner has filed the present petition under Section 9 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'). Mr J.P. Sengh, learned senior counsel appearing for the petitioner is limiting the relief claimed to prayer (d) which reads as under.

“Direct the respondents to pay the electricity, maintenance and other property operating expenses due & payable in respect of electricity connection no./account no. 9153409258, telephone connection bearing no.01244105499 and remove their machines from S-371 ground floor, Uppal Southend, Opp. Orchid Petal, near Sapphire Mall, sector 49, Sohna road, Gurugram, Haryana; so as to enable the petitioner to surrender the premises to his landlord.”

It is seen that except respondent no.1, the other respondents are not parties to the arbitration agreement and at this stage no relief can be claimed by the petitioner against the said respondents.

Insofar as respondent no.1 is concerned, it is stated that Arbitral Tribunal has already been constituted and thus, the petitioner has an efficacious remedy before the Arbitrator for urgent relief. Accordingly, the present petition is dismissed with liberty to the petitioner to approach the Arbitral Tribunal for such reliefs as he may be advised.

VIBHU BAKHRU, J

FEBRUARY 03, 2017
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