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

+ **FAO(OS) (COMM) 15/2018, CM APPL 3579/2018**

POWER PLAY SPORTS AND EVENTS LTD Appellant

Through Ms.Diya Kapur with Ms.Akshita
Sachdeva, Advocates.

versus

RHITI SPORTS MANAGEMENET PVT LTD Respondent

Through Mr. I.S. Alag, Senior Advocate with
Mr.J.S. Lamba, Advocate.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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31.01.2018

This is an appeal filed by the appellant under Section 37 of the Arbitration and Conciliation Act, 1996 read with Section 13 of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015.

Learned counsel for the appellant submits that the appellant is aggrieved by the order dated 06.11.2017 passed by the learned Single Judge in a petition filed by the respondent under section 34 of Arbitration and Conciliation Act, 1996, by which the hearing of final arguments before the Arbitrator has been stayed, resulting in serious prejudice to the rights of the appellant, who is also the claimant before the Arbitrator. Ms. Kapur, learned counsel for the appellant contends that such a petition would not lie as the order of the Arbitrator is not an interim award. Mr.Alag, learned Senior Counsel appearing for the respondent submits to the contrary.

We may note that the matter is already listed before the learned Single Judge on 16.02.2018.

After some hearing, with the consent of both the parties, the present appeal is disposed of with the following agreed directions:

- (i) Parties would not seek pass over or adjournment before the learned Single Judge when the matter is listed on 16.02.2018 for hearing to enable the Court to hear the matter.
- (ii) All legal objections of both the parties are kept open.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

JANUARY 31, 2018

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