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

+ **O.M.P.(I) (COMM.) 510/2019**

SANRAJ HOSPITALITY PVT. LTD

..... Petitioner

Through: None.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Counsel for the respondents
(appearance not given)

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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29.01.2020

1. The present petition under Section 9 of the Arbitration and Conciliation Act, 1996 was filed with the following reliefs:-

“(a) Pass an order for issuance of interim directions to the Respondents restraining them from termination of catering services in Train No.12217-18, CDG-KCVL, Kerala Sampark Kranti Express Train being done by the Applicant/Petitioner by virtue of Master Licence Agreement dated 20.07.2015 and Tripartite Agreement dated 21.07.2017 or awarding the same/said Train to any third party contractor till the time an Arbitrator is appointed as per Clause 20 of the Agreement dated 20.07.2015 entered between the Petitioner and the Respondents and the disputes which have arisen between the Petitioner and the respondents are adjudicated upon by the said Arbitrator;

(b) pass ad-interim ex-parte order in terms of prayer (a) above and confirm the same after notice to the respondents;

(c) award costs of the present proceedings in favour of the petitioner and against the respondent; and

(d) pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

2. None appears for the petitioner despite passover the same was the position on the last date.

3. Learned counsel for the respondent no.2 submits that since this Court did not grant any interim stay in favour of the petitioner, the respondent has on 27.12.2019 already awarded the temporary licence for provision of On-board Catering Services in train No.12217-18, KCVL-CDG Sampark Kranti Express in favour of a third party and the present petition has, therefore, become infructuous.

4. In the light of the statement made by the learned counsel for the respondent no.2 as also the fact that the petitioner continues to be unrepresented, the petition is dismissed in default and for non-prosecution.

REKHA PALLI, J

JANUARY 29, 2020

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