



\$~81

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

+ **W.P.(C) 1245/2024 & CM APPL. 5217/2024**

**RUCHIKA AGARWAL (PROP.) M/S SANGEETA FURNITURE
CONCEPTS** Petitioner

Through: Mr. Anirudh Gupta, Advocate.

versus

V P SHARMA ADVOCATE & ANR. Respondents

Through: Mr. Avadh Kaushik and Ms. Saloni
Mahajan, Advocates for R-2.

**CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

ORDER

06.02.2024

%

1. The Petitioner has challenged the Order dated 11.01.2024 passed by the Respondent No.1/Ld. Sole Arbitrator.
2. It is the case of the Petitioner that the present arbitration proceedings cannot be continued for the reason that the goods have been supplied prior to the Petitioner's being registered as an MSME. It is the contention of the Petitioner that there is no decision on the application filed by the Petitioner for terminating the arbitration proceedings other than stating that an incomplete application has been filed by the Petitioner/claimant's Counsel as the *Vakalatnama* as well as the Power of Attorney has not been along with the application.
3. It is stated that the *Vakalatnama* as well as Power of Attorney has been filed with the Claims Statement. This Court is of the opinion that the



application ought not to have been dismissed on the aforesaid reasons. The Order dated 11.01.2024 is set aside. The Ld. Arbitrator is requested to consider the application of the Petitioner on merits and pass appropriate Orders, after hearing the parties, in accordance with law.

4. The writ petition is disposed of, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 6, 2024

S. Zakir