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

+ O.M.P.(I) (COMM.) 214/2023
PRAVEEN JAIN

..... Petitioner

Through: Mr. Abdhesh Chaudhary, Mr. Nishi
Kant Singh and Mr. Vinayak Mishra,
Advocates.

versus

M/S KAMAKHYA OIL COMPANY & ORS. Respondents
Through: Mr. Deepak Dhingra and Ms. Sneha
Somani, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

11.01.2024

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Arb.P. No. 961/2023 filed by the petitioner has been disposed-of *vide* order dated 11.01.2024, with consent of the parties, appointing a Sole Arbitrator to adjudicate upon their *inter-se* disputes.

After making brief submissions in the matter, Mr. Abdhesh Chaudhary, learned counsel appearing for the petitioner submits that the present petition under section 9 of the Arbitration & Conciliation Act 1996 ('A&C Act') be disposed-of permitting the petitioner to place the present petition alongwith the reply filed thereto before the learned Sole Arbitrator as an application under section 17 of the A&C Act to be decided during the course of the arbitral proceedings, in accordance with law.

Furthermore, Mr. Chaudhary submits that in the meantime the respondents be directed to maintain accounts of respondent No.1/M/s Kamakhya Oil Company so as to not prejudice the petitioner's claims.



This course of action is acceptable to learned counsel for the respondents.

Accordingly, the petition is disposed-of permitting the petitioner to place the present petition alongwith its reply before the learned Sole Arbitrator as an application under section 17 of the A&C Act to be decided by the learned Sole Arbitrator as *expeditiously* as possible, in accordance with law.

In the meantime, the respondents are directed to scrupulously maintain the accounts of respondent No.1/M/s Kamakhya Oil Company; making it clear that this order shall continue till the learned Sole Arbitrator decides the application under section 17 of the A&C Act.

It is further clarified that though respondent No.2/Dharampal Satyapal Limited is a partner in respondent No.1 partnership firm, the aforesaid direction does not apply to the accounts of respondent No.2.

ANUP JAIRAM BHAMBHANI, J

JANUARY 11, 2024/uj/VR