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

+ **O.M.P.(I) (COMM.) 294/2023**

RISHABH CONSTRUCTIONS PVT. LTD. Petitioner
Through: Mr. Dinesh Kumar Mishra and Mr B.
K. Sharma, Advs. (M. 9314036410)
versus

UNION OF INDIA Respondent
Through: Mr. Harish Vaidyanathan, CGSC with
Mr. Tarveen Singh Nanda, Govt
Pleader. (M: 9555551536)

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **13.02.2024**

1. This hearing has been done through hybrid mode.
2. In the connected petition under Section 11 being *Arbitration Petition 63/2024*, the Id. Single Judge has already appointed a Sole Arbitrator *i.e., Ms. Justice Geeta Mittal, Former Chief Justice of J & K High Court (Mobile No.981800020)* to adjudicate the disputes between the parties. The present petition is under Section 9 of the Arbitration Act seeking interim relief for release of bank guarantees to the tune of Rs.10.849 crores.
3. Considering that the Arbitrator has already been appointed, the Petitioner is free to approach the Id. Arbitrator under Section 17 of the Arbitration Act for the said reliefs.
4. Mr. Arun Aggarwal, Id. Counsel for Union Bank has assured the Court that the bank guarantees are currently alive. The charges for



extension shall be paid by the Petitioner with the Bank within two weeks. All formalities shall also be completed within two weeks. The bank guarantees shall be extended. The same shall, however, not be invoked till the Id. Arbitrator decides the Section 17 application. The application filed by the Bank is also disposed of in these terms.

5. The charges for the bank guarantee extension, if any, shall be considered as part of the claims to be filed by the Petitioner before the Id. Arbitrator.

6. Petition is disposed of with all pending applications, if any.

PRATHIBA M. SINGH, J.

FEBRUARY 13, 2024

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