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

+ ARB. A. (COMM.) 70/2022 (*Disposed of case*)

FEDDERS ELECTRIC AND
ENGINEERING LIMITED

.....Petitioner

versus

SRISHTI CONSTRUCTIONS

.....Respondent

+ ARB. A. (COMM.) 72/2022 & I.A. 17262/2022

FEDDERS ELECTRIC AND
ENGINEERING LIMITED

.....Petitioner

versus

SRISHTI CONSTRUCTIONS

.....Respondent

Appearances:

Mr. Harshit Garg, Advocate for petitioner.

Mr. Sameer Abhyankar, Mr. Amish Tandon, Advocates for Srishti
Constructions.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **20.08.2024**

I.A. 31825/2024 (for restoration) in ARB. A. (COMM.) 70/2022
(Disposed of)

This is an application for restoration of the appeal which was
dismissed for non-prosecution on 02.05.2024.

Learned counsel for the respondent has no objection to the



restoration application.

The application is therefore allowed, and the ARB.A.(COMM) 70/2022 is restored to its original number.

ARB. A. (COMM.) 70/2022 & ARB. A. (COMM.) 72/2022

1. These appeals are directed against interim orders dated 20.07.2022 and 15.09.2022, passed by a learned arbitrator, who is in *seisin* of disputes between the parties under an agreement dated 29.03.2019. The said orders have, thus, held the field for approximately two years now. Learned counsel for the parties state that the orders have also been partially implemented, and the parties are at an advanced stage of settlement talks.

2. It is also the accepted position that, regardless of the outcome of settlement, the rights and contentions of the parties will now have to be adjudicated before the arbitral tribunal. The only direction sought by learned counsel for the appellant is that the directions in the impugned orders will be subject to the result of the arbitration proceedings in the event the settlement does not fructify. This position is also accepted by learned counsel for the respondent.

3. The appeals, alongwith the pending applications, are therefore disposed of, leaving it open to the parties to raise their respective contentions before the learned arbitrator in the event they are not able to settle their disputes.

PRATEEK JALAN, J

AUGUST 20, 2024

“Bhupi”/