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

+ O.M.P.(I) (COMM.) 389/2023

SINGLA CABLE

..... Petitioner

Through: Mr. Yudhvair Singh Chauhan,
Advocate. [M:-9667661011]

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr. Vineet Dhanda, CGSC for R-1
& 2. [M:-9811013810]

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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25.01.2024

1. By way of this petition under Section 9 of the Arbitration and Conciliation Act, 1996 [“the Act”], the petitioner seeks interim measures of protection in anticipation of arbitration proceedings. By an order dated 29.11.2023 notice was issued and operation of the recovery notice dated 16.02.2023 was stayed.

2. Mr. Vineet Dhanda, learned Central Government Standing Counsel has entered appearance, however, the reply has not been filed in terms of the order dated 29.11.2023.

3. In the course of the hearing, learned counsels for the parties are *ad idem* that the disputes between the parties may be referred for arbitration in this petition itself, under the aegis of Delhi International Arbitration



Centre, Shershah Road, New Delhi-110503 [“DIAC”].

4. DIAC is requested to nominate an arbitrator from its panel.
5. The learned Arbitrator will furnish a declaration under Section 12 of the Act, prior to entering upon the reference.
6. The present petition will be treated as an application under Section 17 of the Act, before the learned Arbitrator.
7. The respondent may file a reply to the petition within four weeks from today. Until the learned Arbitrator has disposed of the Section 17 application, Mr. Dhanda states that the recovery notice dated 16.02.2023 will not be enforced.
8. The petition stands disposed of with these observations.

PRATEEK JALAN, J

JANUARY 25, 2024

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