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

+ **W.P.(C) 12623/2024 & CM APPLs. 52439-52440/2024**

**CITY MONTESSORI SCHOOL THROUGH ITS AUTHORISED
SIGNATORY**Petitioner

Through: Mr. Pragyan Pradeep Sharma, Mr.
Pulkit Prakash, Mr. Chirantan
Krishna, Mr. Hardik Jain and Ms.
Arushi Sharma, Advocates.

versus

**DELHI INTERNATIONAL ARBITRATION CENTRE THROUGH
ITS CO-ORDINATORS & ORS.**Respondents

Through: Dr. Amit George, Ms. Rupam Jha,
Mr. Dushyant Kaul, Mr. Adhishwar
Suri, Ms. Ibansara Syiemlieh and Ms.
Suparna Jain, Advocates for R-1.
Mr. Saurabh Kansal, Mr. Manish
Kumar and Mr. Raghav Vij,
Advocates for R-3.

**CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA**

ORDER
09.09.2024

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1. Petitioner impugns the notice dated 26th April, 2022, whereby the Micro and Small Enterprises Facilitation Council (MSEFC) has referred the parties for arbitration under Section 18(3) of the Micro, Small and Medium Enterprises Development Act, 2006¹, to the Delhi International Arbitration Centre (DIAC).

2. Mr. Pragyan Pradeep Sharma, counsel for Petitioner, after making some submissions, states that he would like to withdraw the petition

¹ "MSMED Act"



reserving all rights and contentions raised in the present petition to be urged in the ensuing arbitration proceedings.

3. At the same time, Mr. Sharma emphasises that the reference under Section 18(3) of the MSMED Act was done without affording an opportunity to engage in conciliatory proceedings. Counsel for Respondent No. 3, on the other hand, refutes this assertion. Nonetheless, it appears that the Petitioner's intention is to bring about an amicable resolution. Accordingly, the Court had suggested that the parties explore the possibility of resolving their disputes through mediation, to which both counsel are agreeable.

4. In view of the above, the present petition is disposed of with liberty to the Petitioner to urge all grounds raised in the present petition in the arbitration proceedings.

5. Furthermore, in order to encourage the parties to find an amicable resolution, they are referred to the Delhi High Court Mediation and Conciliation Centre, where they shall appear before the Mediator on 11th September, 2024.

6. During the course of such mediation proceedings, if consented by the parties, the Mediator may also assume the role of Conciliator.

7. All rights and contentions of parties are left open.

8. With the above directions, the present petition is disposed of, along with pending applications.

SANJEEV NARULA, J

SEPTEMBER 9, 2024/d.negi