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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3516/2024 & CM APPL. 57615/2024**

LATA YADAV

.....Petitioner

Through: Mr. Ramesh Singh, Sr. Advocate with
Mr. Anirudha Deshmukh, Advocates.

versus

SHIVAKRITI AGRO PVT. LTD. & ORS.

.....Respondent

Through: Ms. Bani Dishit, Mr. Dhruva Vig, Mr.
Krishan Kumar and Mr. Uddhar
Khanna, Advocates.
Ms. Apoorv Shukla and Mr. Puneet C.,
Advocates for R-3.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
30.09.2024

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CM APPL. 57616/2024 (Exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 3516/2024

1. Respondent No.1 has filed a *statement of claim* before the learned Sole Arbitrator seeking specific performance besides seeking other relief(s).
2. The petitioner herein is respondent No.3 in such arbitral proceedings.
3. It seems that during course of the pendency of the abovesaid arbitral proceeding, she filed an application under Section 16(3) read with Section 32(2)(c) of the Arbitration Conciliation Act, 1996 seeking termination of the arbitral proceedings.

CM(M) 3516/2024

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4. Learned Arbitration has fixed up such application for consideration on 1st October, 2024 and, thereafter, the matter has been directed to be taken up on 3rd October, 2024 for recording statement of petitioner Ms. Lata Yadav (RW-3).

5. When asked as to what was the grievance as such, learned senior counsel for the petitioner submits that the grievance of the petitioner is very limited and she only seeks to pray that till the disposal of her abovesaid application, the learned Arbitrator may not insist for recording of her evidence.

6. During course of arguments, learned senior counsel, on instructions submits that the petitioner herein would render full cooperation and assistance to the learned Arbitrator and would conclude its arguments on the date fixed i.e. 1st October, 2024, in context of the abovesaid application.

7. This Court is conscious of the fact that the interference with respect to such kind of arbitral proceedings has to be very constricted and limited, particularly when, as is the position herein, there is no adjudication of any kind by the learned Sole Arbitrator.

8. It seems that the petitioner had some kind of self-styled apprehension that the application might not get decided and despite thereof, she may be called upon for the purpose of recording of her evidence.

9. Learned counsel for the respondent appears on advance notice and submits that this petition is not maintainable but since she herself is not interested in delaying the arbitral proceedings, she submits, on instructions, that she would also render due assistance and cooperation to the learned Arbitrator on the date fixed i.e. 1st October, 2024 and in case the abovesaid application still remain undisposed, the claimant would itself make



appropriate request before the learned sole Arbitrator in this regard in context of further recording of such evidence of RW-3 Ms. Lata Yadav.

10. Learned senior counsel for petitioner, in view of above, states that there is no requirement of passing any further order in the present matter and the petition may be disposed of accordingly.

11. The present petition is disposed of as not pressed in view of the abovesaid statements.

12. Order *dasti*, under the signature of the Court Master.

MANOJ JAIN, J

SEPTEMBER 30, 2024/ss