

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

2025:PHHC:072641-DB



FAO-CARB-10-2025(O&M)
Date of decision: 27th May, 2025

M/s Airplaza Retail Holdings Private Ltd.

..Appellant

Versus

Mr. B.R. Darshan and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL.

HON'BLE MRS. JUSTICE SUDEEPTI SHARMA.

Present: Mr. Gaurav Chopra, Sr. Advocate with
Mr. Ashim Aggarwal, Advocate for appellant.

Mr. Viren Sibal, Advocate for respondent No.1. (through VC)

LISA GILL, J(Oral)

1. Prayer in this appeal is for setting aside order dated 20.02.2025 passed by Learned Additional District Judge-cum-Presiding Judge, Exclusive Commercial Court at Gurugram, whereby the petition under Section 9 of Arbitration and Conciliation Act, 1996 (for short 'the Act') filed by present appellant was dismissed.

2. Learned counsel for respondent No. 1 submits that this appeal is rendered infructuous in as much as an Arbitrator has been appointed vide order dated 26.05.2025 in ARB-136-2025 and parties have been directed to appear before the learned Arbitrator on 10.06.2025 at 10:00 AM. All pleas raised in the present appeal can very well be taken up before learned Arbitrator.

3. Learned counsel for appellant does not deny the factual scenario, as above, however, he submits that liberty be afforded to the appellant to file appropriate application under Section 17 of the Act before the Arbitrator and that no coercive steps be taken by respondents till its decision.

4. Keeping in view the admitted factual matrix as above, this appeal is disposed of with liberty to appellant to file appropriate application before learned Arbitrator. Status quo as on today be maintained by the parties till 10.06.2025 only and thereafter the matter needless to say shall be within the realm of consideration of learned Arbitrator. It is clarified that there is no expression of opinion on the merits of the matter.

(LISA GILL)
JUDGE

27th May, 2025

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(SUDEEPTI SHARMA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No