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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **ARB. A. 1/2022 & I.A. 627/2022, I.A. 12563/2023**
HIMANSHU SHEKHARAppellant
Through:
versus
PRABHAT SHEKHARRespondent
Through: Mr. Sandeep Sethi Sr. Adv. with Mr.
Ravi Prakash, Ms. Bhumika Bhardwaj, Advs. for
R2

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+ **ARB. A. (COMM.) 79/2021 & I.A. 17280/2021, I.A. 12063/2023**
I.A. 25005/2023, I.A. 25028/2023, I.A. 2994/2024, I.A. 518/2025
I.A. 6647/2025, I.A. 10662/2025, I.A. 6646/2025
MANOHAR LAL SARRAF AND SONS JEWELLERS PRIVATE
LIMITED & ANR.Appellants
Through: Mr. Rajat Navet, Adv, Mr. Sarthak
Sharma, Adv
versus
HIMANSHU SHEKHAR & ORS.Respondents
Through: Mr. Sandeep Sethi Sr. Adv. with Mr.
Ravi Prakash, Ms. Bhumika Bhardwaj, Advs. for
R2

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+ **ARB.P. 739/2023**
MANOHAR LAL SARRAF AND SONS JEWELLERS PRIVATE
LIMITEDPetitioner
Through: Mr. Rajat Navet, Adv, Mr. Sarthak
Sharma, Adv
versus
PRABHAT SHEKHARRespondent
Through: Mr. Sandeep Sethi Sr. Adv. with Mr.
Ravi Prakash, Ms. Bhumika Bhardwaj, Advs. for
R2

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
29.10.2025

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ARB. A. (COMM.) 79/2021 & ARB. A. 1/2022

1. These are appeals filed under Section 37 of the Arbitration and Conciliation Act, 1996 seeking to set aside the interim Orders dated 08.10.2021 and 14.10.2021 passed by the learned Sole Arbitrator in arbitral proceedings titled as “*Himanshu Shekhar vs. Prabhat Shekhar*”.
2. The brief facts are that M/s Manohar Lal Saraf and Sons Jewellers Private Ltd. is Appellant No. 1 in ARB.A. (COMM.) 79/2021 and Appellant No. 2 i.e., Sh. Sudhir Singhal, Respondent No.1 i.e., Sh. Himanshu Shekhar and Respondent No. 2 i.e., Sh. Prabhat Shekhar in ARB.A. (COMM.) 79/2021 are directors of M/s Manohar Lal Saraf and Sons Jewellers Private Ltd. The Respondent No. 3 in ARB.A. (COMM.) 79/2021 i.e., Sh. S.C. Batra is the learned Sole Arbitrator.
3. Sh. Himanshu Shekhar and Sh. Prabhat Shekhar entered into an Arbitration Agreement dated 04.10.2021 and appointed Sh. S.C. Batra as the Sole Arbitrator. The impugned Orders have been passed in the arbitral proceedings before Sh. S.C. Batra, learned Sole Arbitrator.
4. The averment in the Appeals, amongst other, is that the impugned Orders affect Appellants No. 1 and 2 in ARB.A. (COMM.) 79/2021, who were neither before the Arbitral Tribunal or nor parties to the Arbitration Agreement.
5. Mr. Sethi, learned senior counsel on behalf of Prabhat Shekhar i.e., the respondent in ARB.P. 1/2022 and respondent No. 2 on ARB.A. (COMM.) 79/2021, on instructions, states that the impugned Orders dated 08.10.2021 and 14.10.2021 may be set aside with liberty to the respondent to file applications in accordance with law to implead such affected parties and seek relief against them.



6. Consequently, since the Appellants were not heard before passing the impugned Orders dated 08.10.2021 and 14.10.2021, the same are set aside.

7. As and when the applications are filed by the respondent, subject to the Appellants opposing the same in accordance with law, the learned Arbitral Tribunal shall decide the same in accordance with law.

8. Since the impugned Orders are being set aside with consent of the parties, nothing contained in the Order passed today shall influence the Arbitral Tribunal in any way in deciding the application as and when filed by the respondent in accordance with law.

9. All interim orders stand vacated.

10. Since, the proceedings of the Arbitral Tribunal were stayed by the order of the Court, the mandate of the Arbitral Tribunal is extended by further period of one year to make and publish the final Award.

11. Accordingly, the appeals are disposed of with pending applications.

ARB.P. 739/2023

12. Re-notify on 20.01.2026.

OCTOBER 29, 2025/AS

JASMEET SINGH, J