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

+ **ARB.P. 405/2025**

**MR. RAMESH LAKHULAL CHAURASIA
& ANR.**

.....Petitioner

Through: Mr. Gurukamal Hora Arora, Mr.
Dheeraj Kumar Sharma, Mr. Nalin Dhingra and
Mr. Kushal Gupta, Advocates.
versus

MR. VINOD KUMAR GOSWAMI & ORS.Respondents

Through: Ms. Anu Gupta and Mr. Akshay
Malik, Advocates for Proposed Respondent.

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+ **O.M.P.(I) (COMM.) 435/2024**

RAMESH LAKHULAL CHAURASIA & ANR.Petitioners

Through: Mr. Gurukamal Hora Arora, Mr.
Dheeraj Kumar Sharma, Mr. Nalin Dhingra and
Mr. Kushal Gupta, Advocates.
versus

VINOD KUMAR GOSWAMI & ORS.Respondents

Through: Ms. Anu Gupta and Mr. Akshay
Malik, Advocates for M/s Spira Estate LLP in I.A.
6675/2025.

Mr. Sanjay Mani Tripathi, Advocate for applicant
in I.A. 6199/2025.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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04.09.2025

ARB.P. 405/2025 & I.As. 10852/2025, 11126/2025, 15317/2025

1. This petition is filed on behalf of the Petitioner under Section 11(6) of



Arbitration and Conciliation Act, 1996 ('1996 Act') seeking appointment of a Sole Arbitrator in respect of disputes emanating from Deed of Reconstitution of Partnership dated 16.11.2017 executed between the parties.

2. Learned counsels for the Respondents fairly submit, on instructions, that since existence of Arbitration Clause 32 of Deed of Reconstitution of Partnership is not disputed, this Court may appoint the Sole Arbitrator. Counsels jointly propose the name of Mr. Gautam Narayan, Senior Advocate to be appointed as the Sole Arbitrator.

3. Accordingly, with the consent of the parties, Mr. Gautam Narayan, Senior Advocate (Mobile No.9811411735) is appointed as the Sole Arbitrator to adjudicate the disputes between the parties. Arbitral proceedings will be held under the aegis of Delhi International Arbitration Centre ('DIAC'). Fee of the Arbitrator shall be fixed as per fee schedule under DIAC (Administrative Cost & Arbitrators' Fees) Rules 2018.

4. Learned Arbitrator shall give disclosure under Section 12 of the 1996 Act before entering upon reference.

5. It is made clear that this Court has not expressed any opinion on the merits of the case and all rights and contentions of the respective parties are left open.

6. Petition along with the pending applications is disposed of in the aforesaid terms.

O.M.P.(I) (COMM.) 435/2024, I.A. 13605/2025 & I.A. 15413/2025

7. This petition is filed on behalf of the Petitioner under Section 9 of the 1996 Act seeking the following reliefs:-

a. pass an ex-parte ad-interim order, thereby restraining the Respondent



Nos.1 and 2 from dealing with, alienating, transferring or creating any third party interest in the Project Land i.e. Land 1, Land 2 and JDA Land as described in Schedule-I annexed herewith or any part thereof;

b. confirm the orders passed in terms of prayer 'a' after notice to the Respondents;

c. Direct the Respondents to furnish the following documents to the Petitioners:

- i. The alleged Sale Agreement dated 23.03.2023 allegedly executed by Respondent no.1 on behalf of the Respondent no.3.*
- ii. The alleged Memorandum of Understanding dated 25.09.2023 executed by the Respondent No. 1 on behalf of the Respondent No.3 with Vikas Aggarwal, Pminer of Spira Estate LLP.*
- iii. Alleged Possession letter dated 27.09.2023.*
- iv. The alleged Collaboration Agreement executed by the Respondent Nos. 1 and 2 on behalf of the Respondent No.3 with Spira Estate LLP.*
- v. Alleged Resolution dated 20.01.2020 of the Respondent No.3 Firm allegedly authorizing Respondent No. 1 to execute the aforesaid alleged documents.*

d. Award costs of the present proceeding in favour of the Petitioners and against the Respondents;

8. Learned counsels for the parties submit that since an Arbitrator has been appointed, a direction be issued to the learned Arbitrator to treat this petition as an application under Section 17 of 1996 Act and decide the same expeditiously.

9. As agreed by the parties, this petition is disposed of along with pending applications, requesting the learned Arbitrator to treat this petition seeking interim reliefs as an application under Section 17 of 1996 Act and consider the same as expeditiously as possible, after entering upon reference.



10. It is made clear that this Court has not expressed any opinion on the merits of the case and all rights and contentions of the respective parties are left open.

11. Registry is directed to transmit the digital record of this petition to the learned Sole Arbitrator at the earliest.

I.A. 6199/2025 & I.A. 6675/2025 in O.M.P.(I) (COMM.) 435/2024

12. These applications are filed by Shri Swami Achyutananda Teerth, Shri Rajendra Kumar Sharma and M/s SPIRA Estate LLP, respectively under Order 1 Rule 10(2) CPC for impleadment. In light of the judgement of the Supreme Court in *Cox and Kings Limited v. SAP India Private Limited and Another, (2024) 4 SCC 1*, it is within the domain of the learned Arbitrator to consider the issue of impleadment of parties.

13. Accordingly, these applications are disposed of giving liberty to the applicants to take recourse to appropriate remedy for impleadment before the Arbitrator.

JYOTI SINGH, J

SEPTEMBER 4, 2025
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