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

+ **O.M.P.(I) (COMM.) 90/2025**

PREETI BHUTANI & ANR.

.....Petitioners

Through: Ms. Rajeshwari H., Ms. Garima Joshi,
and Ms. Sawani Chothe, Advocates.

versus

GOYAL PUBLISHERS AND DISTRIBUTORS PVT LTD & ORS.

.....Respondents

Through: Mr Rajshekhar Rao, Sr. Advocate &
Ms Swathi Sukumar, Sr. Advocate
with Mr Anirudh Bakhru, Mr Pravin
Anand, Mr Vaishali R Mittal, Mr
Kartikay Sharma, Ms Pallavi
Bhatnagar, Mr Shivang Sharma, Ms
Vasundhara Bakhru, Mr Rishubh
Agarwal, Advocates for R-1, R-2 &
R-5
Mr. Tishampati Sen, Ms. Riddhi
Sancheti, Mr. Anurag Anand, Mukul
Kulhari, Ms. Tarni Agarwal, Advs.
for R-3 & R-4

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **20.03.2025**

I.A. 7158/2025 (Exemption)

Allowed, subject to all just exceptions.

O.M.P.(I) (COMM.) 90/2025, I.A. 7159/2025

1. Petitioners have filed the present Petition seeking interim relief under
Section 9 of the Arbitration and Conciliation Act, 1996.



2. In the present Petition, the Petitioners are seeking injunction against the Respondents on production and selling of a French language book “Allez-y” series from 1 to 4 textbooks and workbooks launched under the name Allez-y, purportedly authored by Ms. Sarbari Sen and Ms. Sarabjit Lall and published by the Respondent No. 1. It is the case of the Petitioner that the book titled as Allez-y is a copy of the Petitioner’s books PETITS PAS I, PETITS PAS II FLAMBEAU and MON PASSEPORT which were authored by the Petitioner in 2008.
3. Issue Notice.
4. Learned Counsel appearing for the Respondents accepts notice.
5. Both the parties are *ad idem* that an arbitrator be appointed to adjudicate on the disputes which have arisen between the parties in terms of the Agreement dated 03.11.2008.
6. Accordingly, Rajiv Kumar Virmani, learned Senior Advocate (Mob: 9311315241) is appointed as the Arbitrator to adjudicate upon the disputes between the parties.
7. The learned Arbitrator shall be entitled to fees as per the Fourth Schedule of the Arbitration & Conciliation Act, 1996.
8. Let the present Petition under Section 9 of the Arbitration & Conciliation Act be considered as an application under Section 17 of the Arbitration & Conciliation Act.
9. Learned Arbitrator is requested to hold his first sitting on 23.03.2025, if possible.
10. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the Arbitration & Conciliation Act, 1996 within a week of entering reference.



11. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

12. Needless to say, nothing in this order shall be construed as an expression of this Court on the merits of the contentions of the parties.

13. The present petition stands disposed of in the above terms along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

MARCH 20, 2025

Rahul