



\$~63

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

+ **O.M.P.(I) (COMM.) 103/2025**

DHANUKA AGRITECH LIMITED

.....Petitioner

Through: Mr. Sujoy Datta and Mr. NPS
Chawla, Advs.

versus

IOTECHWORLD AVIGATION PRIVATE LIMITED AND ORS

.....Respondents

Through: Mr. Rajeev Kumar Panday and Mr.
Nirmal Mishra Advocates

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

%

13.05.2025

1. Learned counsel for the Petitioner and Respondents state that both the parties have nominated their respective Arbitrators, and that the presiding Arbitrator now has to be appointed by the said nominated Arbitrators for constitution of the arbitral tribunal.
2. They jointly state that present Section 9 petition under the Arbitration and Conciliation Act, 1996 ['Act of 1996'] can be placed before the Arbitral Tribunal as a petition under Section 17 of the Act of 1996 to be heard and disposed of finally by the Arbitral Tribunal.
3. Accordingly, with the consent of the parties, it is directed that the present petition will be treated as a petition under Section 17 of the Act of 1996 by the Arbitral Tribunal and the reply filed by the Respondents shall be treated as reply to the said petition.



4. Learned counsel for the Respondents undertakes, for facilitating the hearing of the petition under Section 17 of the Act of 1996, that the Respondents shall not convene any Board meeting pertaining to the sale of shares of Respondent Nos. 2 and 3 for a period of four (4) weeks.
5. The statement of Respondents that they will not call for a board meeting pertaining for sale of shares of Respondent Nos. 2 and 3 for a period of four (4) weeks is taken on record and they are bound down to the same.
6. The interim order dated 27.03.2025 passed in these proceedings shall continue unless modified, varied or vacated by the Arbitral Tribunal.
7. The learned nominated Arbitrators are requested by this Court to appoint presiding Arbitrator within one (1) week from today so that the Arbitral Tribunal is constituted and the Section 17 petition is heard expeditiously.
8. With the aforesaid direction, this petition stands disposed of.

MANMEET PRITAM SINGH ARORA, J

MAY 13, 2025/hp/akp

[Click here to check corrigendum, if any](#)