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

+ **FAO(OS) (COMM) 50/2025**

FOCUS ENERGY LTD & ORS.

.....Appellants

Through: Mr. Swapnil Gupta and Mr.
Ekansh Mishra, Advs.

versus

GAIL (INDIA) LIMITED & ORS.

.....Respondents

Through: Ms. Neetika Bajaj, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

07.11.2025

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REVIEW PET. 557/2025 [To review the order dated 15.10.2025]

1. On 15.10.2025, with the consent of learned counsel representing the parties, the following order was passed in the presence of Mr. N. Venkataraman, learned Additional Solicitor General:

“1. The present Appeal has been filed under Section 37 of the Arbitration and Conciliation Act, 1996 [“Act”] against the final judgment and order dated 07.01.2025, passed by the learned Single Judge in OMP (I) (COMM) No. 281/2024.

2. This Appeal arises from the order passed by the learned Single Judge in a petition under Section 9 of the Act, wherein certain directions were issued. In the meantime, the Arbitral Tribunal has been constituted and is now seized of the matter.

3. Section 17 of the Act empowers the Arbitral Tribunal to pass interim orders. The learned counsels for the parties are ad idem that the petition filed under Section 9 can be considered by the Arbitral Tribunal as an application under



Section 17, uninfluenced by the observations made in the impugned order.

4. In the meantime, the interim directions set forth in the impugned order shall remain operative until the Arbitral Tribunal issues a fresh order.

5. The Arbitral Tribunal is requested to take up the application and decide the same within a period of four months from the date this order is brought to its notice.

6. The present Appeal, along with pending applications, stands disposed of in the above terms.”

2. The present Review Petition has been filed by Respondent No.1 seeking to recall the order dated 15.10.2025, on the ground that no instructions were given by the said Respondent to the learned Additional Solicitor General to make the submissions recorded therein.

3. This Court has considered the submissions of learned counsel representing the parties. It is evident that the order dated 15.10.2025 merely directed the Arbitral Tribunal to consider the prayer for interim relief in terms of Section 17 of the Arbitration and Conciliation Act, 1996.

4. In view of the above, no ground is made out to interfere with the order dated 15.10.2025.

5. Accordingly, the present Review Petition stands dismissed.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

NOVEMBER 07, 2025

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