



\$~63

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) (COMM) 124/2023**
IRCON INTERNATIONAL LTD.

.....Appellant

Through: Mr. Gaurav Pachnanda, Sr. Advocate
with Mr. Mohit Goel, Mr. Sidhant
Goel, Mr. Karmanya Dev Sharma,
Ms. Aishna Jain, Ms. Nikita Jaitly,
Advocates.

versus

AFCONS INFRASTRUCTURE LTD.

.....Respondent

Through: Mr. Darpan Wadhwa, Sr. Advocate
with Mr. Manu Seshadri, Mr.
Siddharth Shekhar, Mr. Deborshi
Sarkar, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

02.04.2025

%

1. The appellant has filed the present appeal under Section 37(1)(c) of the Arbitration and Conciliation Act, 1996 [Act] impugning an order dated 26.04.2023 [**impugned order**] passed by the learned Single Judge. In terms of the impugned order, the application filed by the appellant under Section 34 of the Act for setting aside an arbitral award dated 05.03.2019, was rejected.
2. After some arguments, the learned counsel for the parties jointly agreed that the impugned order be set aside and the matter be remanded to the learned Single Judge for consideration afresh. Thus, without going into



the various questions as agitated before this court, we consider it apposite to accede to the said request.

3. The impugned order is set aside. The matter is restored to the learned Single Judge for decision afresh.

4. Given that the arbitral award is dated 05.03.2019 and the parties have been engaged in protracted litigation, we request the learned Single Judge to consider the petition for setting aside the award as expeditiously as feasible.

5. List before the learned Single Judge on 15.04.2025.

VIBHU BAKHRU, J

TEJAS KARIA, J

APRIL 02, 2025/sms

Click here to check corrigendum, if any