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

+ O.M.P.(I) (COMM.) 166/2025, I.A. 11737/2025

M/S MAAN BUILDERS PVT LTD

.....Petitioner

Through: Mr. Avinash Kumar Trivedi and Mr.
Rahul Aggarwal Advocates

versus

NORTHERN RAILWAY

.....Respondent

Through: Mr. Ruchir Mishra, Mr. Mukesh
Kumar Tiwari Advocates

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **26.11.2025**

Since there was a holiday on 25.11.2025, the matter is taken up for hearing today.

1. This is a petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 seeking the following reliefs:-

“a) Pass an order thereby directing the respondent to not to take any coercive action against the petitioner with respect to the work awarded to the petitioner vide letter of acceptance dated 12.12.2017; And/Or;

b) Pass an order thereby restraining the respondent from invoking/ encashing the bank guarantee no. 035GT02250700008 dated 11.03.2025 valid upto 31.03 .2026 and Expiry of Claim Period 31.03.2027 of Rs. 1,81,90,800/- (One Crore Eighty One Lac Ninety Thousand Eight Hundred only) issued by HDFC Bank Ltd. (Doc. No. 3); And/Or;



c) Pass an order thereby directing the respondent to release the original bank guarantee no. 035GT02250700008 dated 11.03.2025 valid upto 31.03.2026 and Expiry of Claim Period 31.03.2027 of Rs. 1,81,90 ,800/- (One Crore Eighty One Lac Ninety Thousand Eight Hundred only) issued by HDFC Bank Ltd. (Doc. No. 3) to the petitioner; And/Or;”

2. I am informed that the Arbitral Tribunal has been constituted by a Coordinate Bench of this Court in ARB.P. 718/2025.
3. Since the Arbitral Tribunal has already been constituted, the Arbitral Tribunal is directed to treat the present petition as an application under Section 17 of the Arbitration and Conciliation Act, 1996 and deciding the same in accordance with law.
4. When the matter came up for hearing on 08.05.2025, this Court was pleased to restrain the respondent from the encashing the Bank Guarantee No. 035GT02250700008 dated 11.03.2025.
5. The interim order dated 08.05.2025 shall continue till the application under Section 17 of the Arbitration and Conciliation Act, 1996 is decided by the Arbitral Tribunal.
6. All contentions of the parties are left open to be raised before the learned Arbitral Tribunal. Needles to say that this Court has not commented on the merits of the matter while disposing of this petition.
7. The present petition is disposed of in aforesaid terms.

JASMEET SINGH, J

NOVEMBER 26, 2025/DM