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

+ **CONT.CAS(C) 942/2024**

HITESH CHHABRA & ORS.

.....Petitioners

Through: Mr. Dhruv Gandhi, Mr. Deepam Rangwani, Advs.

versus

SANDEEP CHHABRA

.....Respondent

Through: Mr. Rajat Aneja, Mr. Saubhagya Chauriha, Mr. Aman Kapoor, Advs.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **28.05.2025**

[Hearing has been conducted through Video Conferencing]

1. Request for adjournment is made on behalf of counsel for petitioner on the ground that he is indisposed.
2. Mr. Rajat Aneja appears for the respondent and points out that the directions passed by the Division Bench were subject to the *qualification* that if there was any objection with regard to the payment, proposed by the appellant or any other unreasonable refusal, it would be open for the parties to approach the Single Judge, in respect of the said cheques.
3. The full conspectus of the direction is as under:

9. The interim arrangement agreed to between the parties is as under:-

- i. Respondent No. 1 shall continue to countersign the cheques for payment of the equated monthly installments of all loans existing as on 10.07.2023; and
- ii. Respondent No. 1 shall continue to countersign the cheques without demur of any statutory dues to be paid to the statutory authorities; and



- iii. Respondent No. 1 shall also, without demur countersign the cheques of payment to be made to the employees; and
- iv. Appellants shall send the cheques for payments to be made to suppliers to Respondent No. 1 and also provide all documents, correspondences and emails in support of the payments to be made covered by the said cheques; and
- v. Respondents shall verify the said documents and in case of any objection, communicate the objection to Appellants within three days of receipt of the documents. In case there is no objection to any cheques, Respondent No. 1 shall countersign the cheques without any demur; and
- vi. In case there is any objection with regard to any payment to be made as proposed by Appellants or any unreasonable refusal by Respondent No. 1, it would be open to the parties to approach the learned Single Judge in respect of the said cheque (s).
- vii. Appellant shall also activate the email addresses *sandeep.chhabra@autokame.co.in* & *sneh.chhabra@autokame.co.in* within two days;
- viii. Respondent No. 1 undertakes that neither he nor his daughter shall use the email addresses for sending any negative communication to any buyer, supplier, vendor, customer or employee of the said partnership firms.

10. It is clarified that the above arrangement is purely interim and subject to the further orders to be passed by learned Single Judge and is without prejudice to the rights and contentions of the parties. No special equities shall flow in favour of either of the parties in terms of this order.

4. As noted in the paragraph extracted above, the arrangement was *interim* and it was subject to further orders to be passed by the Single Judge.

5. It is informed to the Court that Petition under Section 9 of the Arbitration & Conciliation Act, 1996 was filed before the Single Judge being **OMP (I) (COMM) 347/2023 & OMP (I) (COMM) 348/2023**.



6. By order dated 14th August 2024, the petitions were directed to be treated as Section 17 Arbitration & Conciliation Act, 1996 and to be listed before the Arbitrator, for a decision.
7. The matter is pending before the Arbitrator and was in fact listed yesterday as well. Section 17 application is pending and listed for further hearing, on 10th June 2025.
8. In the opinion of this Court, the contempt petition does not subsist at this stage and the parties are relegated to the directions which may be passed by the Arbitrator.
9. Accordingly, the petition is disposed of.
10. The parties will be subject to directions passed by the Arbitrator in consonance with the directions which have been given by the Division Bench.
11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 28, 2025/ak/kp