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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(I) (COMM.) 187/2024**

M/S DOONS CATERERS

.....Petitioner

Through: **Mr. Prem Kandpal and Mr. Atharav
Prabhakar, Advocates.**

versus

**INDIAN RAILWAY CATERING AND TOURISM
CORPORATION LTD & ORS.**

.....Respondents

Through: **M.r Saurav Agrawal, Mr. Anshuman
Chowdhary, Mr. Ajay Sharma, Ms.
Prachi Dubey and Mr. Harsh Khabar,
Advocates.**

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

06.02.2025

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1. Matter has been taken up today as 05.02.2025 was declared a holiday on account of State Assembly Election in Delhi.
2. By way of present petition filed under Section 9 of the Arbitration & Conciliation Act, 1996 (hereinafter, referred to as the 'A&C Act'), the petitioner seeks interim directions with reference to disputes that have arisen between the parties in the context of the impugned demand notice dated 21.08.2023 and the impugned email dated 20.05.2024.
3. At this stage, it is informed that on the petitioner invoking arbitration, this Court had already appointed Ms. Justice Mukta Gupta, Former Judge of this Court in the proceedings filed by the petitioner by way of ARB. P. 796/2024.
4. Ld. Counsel for the petitioner submits that the Arbitral Tribunal



having been constituted, the present petition itself be directed to be treated as an application under Section 17 of the A&C Act. It is further submitted that the petitioner be granted to liberty to urge all his contentions/reliefs before the Ld. Arbitral Tribunal.

5. Ld. Counsel for the respondents also acknowledges the same and submits that the respondents have no objection to the aforesaid prayer.

6. Accordingly, the disputes having been referred to the Ld. Sole Arbitrator by way of ARB. P. 796/2024, the present petition is disposed of with the direction that the petition itself be treated as an application under Section 17 of the A&C Act.

7. In the meantime, the interim directions contained in the order dated 31.05.2024 shall continue till the application is taken up by the Ld. Arbitrator. Thereafter, the parties shall be at liberty to seek continuation, confirmation, modification or vacation of the same before the Ld. Arbitral Tribunal.

MANOJ KUMAR OHRI, J

FEBRUARY 6, 2025

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