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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(I) (COMM.) 191/2024**

MR. GAURAV KUKREJAPetitioner
Through: Mr. Arun Malik, Mr. Arjun Malik,
Ms. Aarohi Malik and Ms. Kharanshu
Rana, Advocates.

versus

M/S EARTHZ URBAN SPACES PRIVATE LIMITED
& ORS.Respondents
Through: Ms. Mahima Arora, Advocate.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
20.02.2025

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1. This petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (hereinafter, referred to as the '*A&C Act*'), the petitioner seeks interim measures.
2. On 31.05.2024, this Court, while issuing notice, passed certain interim directions which are still subsisting. It is informed that on petitioner invoking arbitration, Arbitral Tribunal has been constituted and respondent has preferred an application seeking certain modifications.
4. At this stage, learned counsels for the parties submit that present petition itself be treated as an application under Section 17 of the A&C Act and considered by the Arbitral Tribunal.
5. Accordingly, let the present petition be treated as an application under Section 17 of the A&C Act which shall be considered by the Arbitral



Tribunal and till then the interim direction passed by this Court on 31.05.2024 shall continue. However, parties shall be at liberty to seek continuation/modification/variation/recall of the interim orders before the Arbitral Tribunal.

6. Petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

FEBRUARY 20, 2025

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