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

+ **O.M.P.(I) (COMM.) 207/2025**

SHOWMAN CONSTRUCTION AND IMPEX LTD.Petitioner
Through: **Mr. Arun Batta, Mr. Rohan Sharma**
and Mr. Vishal, Advocates

versus

RAJINDER CHHABRA & ORS.Respondents
Through: **Ms. Malvika Trivedi, Sr. Advocate**
with Mr. Shailendra, Mr. Rinku Garg,
Mr. Imran Ali and Mr. Piyush Joshi,
Advocates along with R-1 in person

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 29.05.2025

1. The present petition is filed under Section 9 of the Arbitration and Conciliation Act, 1996 ('Act of 1996') arising from a collaboration agreement dated 27.06.2005 ('Agreement') entered between the Petitioner and the Respondents concerning property E-32, Greater Kailash, Part-I, New Delhi.
2. Issue notice.
3. Mr. Piyush Joshi, Advocate, has entered appearance on behalf of the Respondent and accepts notice.
4. Ms. Malvika Trivedi, learned senior counsel for the Respondent, states that in O.M.P. (COMM.) 390/2019 filed by the Respondent, there are statements made by the Petitioner on 20.09.2019 and 25.09.2019, which bind the Petitioner and effectively direct the parties not to seek enforcement



during the pendency of the proceedings.

4.1 She states that therefore, this petition cannot be maintained.

5. In response, learned counsel for the Petitioner states that, in effect, the Petitioner is seeking a variation of the statements made before the Court on 20.09.2019 and 25.09.2019.

5.1 He states that the Petitioner firmly believes that this is the remedy available to them.

6. In the considered opinion of this Court, if the Petitioner wishes to seek variation of the statements recorded on 20.09.2019 and 25.09.2019, he must move an appropriate application in the pending proceedings in O.M.P. (COMM.) 390/2019 and this petition cannot be maintained.

7. Accordingly, the petition is disposed of with liberty reserved to the Petitioner to avail its remedy by filing an application in the Section 34 petition.

MANMEET PRITAM SINGH ARORA, J
MAY 29, 2025/rhc/AM

[Click here to check corrigendum, if any](#)