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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P.(I) (COMM.) 212/2025

TELECOMMUNICATIONS CONSULTANTS INDIA LIMITED

.....Petitioner

Through: Mr. Arun Verma, Sr. Adv. with Mr.
Ankur Upadhyay, Mr. Kunal, Adv.

versus

M/S IDC TECHNOLOGIES SOLUTIONS PRIVATE LIMITED

.....Respondent

Through: Ms. Bani Dikshit, Mr. Mahip Singh,
Ms. Vanshika Rana, Ms. Ayushi
Pandey, Mr. Krishan Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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02.07.2025

1. This is a petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 ("the Act") seeking interim measures against the respondent. The reliefs sought include immediate handover of the complete Enterprise Resource and Planning System ("ERP") supplied under a Purchase Order dated 29.07.2022, including the source code, admin access credentials, configuration documents, and all supporting material necessary to operate the system.
2. The issue arises out of the scope of work and timelines laid out under the Notice Inviting Tender ("NIT") bearing no. TCIL/OPR/16/2022 dated 13.05.2022 and the said Purchase Order, particularly the obligations in Section 4(7) of the NIT, which required the respondent to customize, integrate, and implement the ERP solution within a



fixed 150-day period.

3. The petitioner asserts that the respondent committed repeated delays, breached key obligations, and eventually abandoned the project. The dispute thus centres on contractual breach, repudiation, and coercive withholding of deliverables essential to business continuity.
4. In view of the ongoing breaches, the petitioner invoked arbitration *vide* legal notice dated 23.05.2025 and thereafter, filed the present petition.
5. Ms. Dikshit, learned counsel appears on behalf of the respondent and states that the petition is predicated on incorrect facts and material concealment.
6. However, without prejudice to the rights and contentions of the parties, both the learned counsels for the parties are agreeable that a sole arbitrator be appointed to adjudicate the disputes between the parties and the present petition will be treated as a petition under Section 17 of the Act and be adjudicated by the sole arbitrator in accordance with law within a period of 4 weeks from today.
7. Till the disposal of the petition, the respondent shall continue to ensure that the ERP System is “up and running” and the respondent shall be entitled to claim charges for the same in accordance with the terms of the NIT and the Purchase Order.
8. However, the respondent shall not be required to customize the ERP System in any manner or perform any other additional work except that is required for the system to be “up and running”, subject to the directions of the sole arbitrator.
9. In addition to the above, the following additional directions are



issued:-

- i) With consent of the parties, Justice Rajiv Shakdher (Retd. Chief Justice of the High Court of Himachal Pradesh) (Mob. No. 9717495004) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.
 - ii) The arbitration will be held under the aegis and rules of the Delhi International Arbitration Centre, Delhi High Court, Sher Shah Road, New Delhi (“DIAC”).
 - iii) The remuneration of the learned Arbitrator shall be in terms of DIAC (Administrative Cost and Arbitrators’ Fees) Rules, 2018.
 - iv) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.
 - v) It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims/counter-claims and merits of the dispute of either of the parties, are left open for adjudication by the learned Arbitrator.
 - vi) The parties shall approach the learned Arbitrator within one week from today and the Arbitrator is at liberty to pass further directions/modify the directions passed today.
10. The present petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

JULY 2, 2025/sp

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