



\$~53 to 55

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

+ O.M.P.(I) (COMM.) 310/2023

DELVEGA CAPTIAL PTE LIMITED & ANR.Petitioners

Through: Mr. Neeraj Grover, Mr. Angad Deep Singh and Ms. Mohana Sarkar, Advocates.

versus

MR. AMAN BHATIARespondent

Through: Mr. Arun Sri Kumar, Mr. Siddharth Satija, Mr. S. Shankaran, Mr. Akash S. and Ms. Ankita Bachawat, Advocates.

54

+ O.M.P.(I) (COMM.) 419/2023

AMAN BHATIAPetitioner

Through: Mr. Arun Sri Kumar, Mr. Siddharth Satija, Mr. S. Shankaran, Mr. Akash S. and Ms. Ankita Bachawat, Advocates.

versus

DELVEGA CAPITAL PTE LIMITED & ANR.Respondents

Through: Mr. Neeraj Grover, Mr. Angad Deep Singh and Ms. Mohana Sarkar, Advocates.

Mr. Arun Sri Kumar, Mr. Siddharth Satija, Mr. S. Shankaran, Mr. Akash S. and Ms. Ankita Bachawat, Advocates for Applicant.

55

+ O.M.P.(I) (COMM.) 24/2024 and I.A. 38514/2024

AMAN BHATIAPetitioner

Through: Mr. Arun Sri Kumar, Mr. Siddharth Satija, Mr. S. Shankaran, Mr. Akash S. and Ms. Ankita Bachawat, Advocates.

versus

DELVEGA CAPITALS PTE. LIMITED & ANR.Respondents

Through: Mr. Neeraj Grover, Mr. Angad Deep Singh and Ms. Mohana Sarkar, Advocates.

Mr. Arun Sri Kumar, Mr. Siddharth Satija, Mr. S.



Shankaran, Mr. Akash S. and Ms. Ankita
Bachawat, Advocates for Applicant.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
08.05.2025

%

O.M.P.(I) (COMM.) 310/2023

1. This petition is filed on behalf of the Petitioners under Section 9 of the Arbitration and Conciliation Act, 1996 ('1996 Act') seeking various interim reliefs against the Respondent. By order dated 26.09.2023, Court restrained the Respondent from directly or indirectly distributing, copying, transferring or dealing with Petitioners' proprietary information including source code, software, algorithms and data that may be in his possession in any manner whatsoever and interim order continues till date.
2. During the course of hearing, learned counsels for the parties, on instructions have, in the interest of speedy and expeditious completion of arbitral proceedings for adjudication of their *inter se* disputes, agreed for appointment of a Sole Arbitrator by Delhi International Arbitration Centre ('DIAC'). It is also agreed that the arbitration will be held under the aegis of DIAC and as per its procedure. It is further agreed that the seat of arbitration will be New Delhi but the issue of the laws which will govern the arbitration will be left open to be decided by the learned Arbitrator.
3. Accordingly, this petition is disposed of with a direction to the Co-ordinator, DIAC to appoint a Sole Arbitrator for adjudication of the *inter se* disputes between the parties. The arbitration shall be held under the aegis of DIAC and as per its rules and procedure. Fee of the Arbitrator shall be as per the DIAC (Administrative Cost and Arbitrators' Fees) Rules, 2018.



4. Learned Arbitrator shall give disclosure under Section 12 of the 1996 Act before entering upon reference.

5. Interim order dated 26.09.2023 shall continue to operate till the learned Arbitrator considers the matter after entering upon reference, whereafter it will be open to the Arbitrator to continue, vacate, vary or modify the order, in accordance with law.

O.M.P.(I) (COMM.) 419/2023

O.M.P.(I) (COMM.) 24/2024 and I.A. 38514/2024

6. These petitions are disposed of in terms of the order passed hereinabove in O.M.P.(I) (COMM.) 310/2023.

7. Interim order dated 19.12.2023 in O.M.P.(I) (COMM.) 419/2023 shall continue to operate till the learned Arbitrator considers the matter after entering upon reference, whereafter it will be open to the Arbitrator to continue, vacate, vary or modify the order, in accordance with law.

8. Pending application stands disposed of.

JYOTI SINGH, J

MAY 08, 2025/RW/Shivam