



\$~22

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(I) (COMM.) 242/2024**

M/S DOONS CATERERSPetitioner
Through: **Mr. Prem P. Kandpal, Advocate.**

versus

**INDIAN RAILWAY CATERING AND TOURISM
CORPORATION & ORS.**Respondents
Through: **Mr. Apoorv Sarvaria, Ms. Yashika
Sarvaria and Ms. Simran Chadha,
Advocates. for R-1 to R-3.
Mr. Bhagwan Swarup Shukla, CGSC
with Mr. Sawan Kumar and Mr.
Satyam Singh, Advocates for UOI.**

**CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

ORDER
18.02.2025

%

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 directions.
2. 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.
3. 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 the liberty to urge all his contentions/reliefs



before the Ld. Arbitral Tribunal.

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

5. 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.

6. In the meantime, the interim directions contained in the order dated 23.07.2024 shall continue till the application is taken up by the Ld. Arbitrator. Thereafter, the parties shall be at liberty to seek continuation/confirmation/modification/vacation of the same before the Ld. Arbitral Tribunal.

MANOJ KUMAR OHRI, J

FEBRUARY 18, 2025

ga