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

+ O.M.P. (COMM) 254/2025, I.A. 16405/2025, I.A. 16407/2025

DJT RETAILERS PRIVATE LIMITEDPetitioner

Through: Mr. Sandeep Sethi, Sr. Adv. with Mr. Sanjeev Kumar, Adv., Mr. Abhishek Kisku, Adv., Mr. Anshul Sehgal, Adv., Mr. Pranshu Paul, Adv. & Mr. Srajan Dixit, Adv.

versus

PACIFIC DEVELOPMENT CORPORATION LIMITED

.....Respondent

Through: Mr. Manish Vashisht, Sr. Adv. with Ms. Prachi Vashisht, Adv.

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+ OMP (ENF.) (COMM.) 181/2025

PACIFIC DEVELOPMENT CORPORATION LTD.....Decree Holder

Through: Mr. Manish Vashisht, Sr. Adv. with Ms. Prachi Vashisht, Adv.

versus

DJT RETAILERS PVT LTDJudgement Debtor

Through: Mr. Sandeep Sethi, Sr. Adv. with Mr. Sanjeev Kumar, Adv., Mr. Abhishek Kisku, Adv., Mr. Anshul Sehgal, Adv., Mr. Pranshu Paul, Adv. & Mr. Srajan Dixit, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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03.11.2025



O.M.P. (COMM) 254/2025

1. This is a petition filed under Section 34 of the Arbitration and Conciliation Act, 1996 (“**1996 Act**”) seeking setting aside of the Interim Order dated 10.06.2025 passed by the learned Arbitrator in the arbitral proceedings titled as “*Pacific Development Corporation Limited vs. DJT Retailers Private Limited*”.
2. The brief facts are that the disputes between the parties have arisen in the context of a Licence Agreement, by virtue of which, a licence in respect of premises no. SH/LGF/06 of Pacific Mall, Jasola CPD-48, Sarita Vihar, Mathura Road, New Delhi-110024 (“**demised premises**”) has been granted by the respondent to the petitioner.
3. Since, there were disputes between the parties the respondent invoked arbitration and thereafter, filed a petition under Section 11 of the 1996 Act. Thereby, a Coordinate Bench of this Court *vide* order dated 29.11.2024 appointed the learned Arbitrator.
4. The impugned order has been passed with respect to an application under Order XII Rule 6 of CPC, 1908 read with Section 17 and 31(6) of the 1996 Act by the learned Arbitrator.
5. After some arguments, the learned senior counsels for both the parties, on instructions, state that a formula acceptable to both the parties have been arrived at, consequent to which, the learned counsel for the respondent has handed over two Demand Drafts i.e. DD No. 518550 for an amount of Rs. 26,99,628/- towards Maintenance and DD No. 518605 for an amount of Rs. 1,31,98,020/- towards Licence Fee Security, in the Court to the learned counsel for the petitioner.
6. The petitioner shall encash the said Demand Drafts only after handing



over vacant and peaceful possession of the demised premises.

7. Mr. Sethi, learned senior counsel for the petitioner, on instructions, states that vacant and peaceful possession of the demised premises shall be handed over to the respondent/ its representative on or before 31.12.2025.

8. The Court has not adjudicated upon the merits of the matter and since the parties have settled the matter, the learned Arbitrator shall adjudicate the matter uninfluenced by the observations made in the Impugned Order or the Order passed today.

9. Accordingly, the present petition is disposed of with pending applications, if any.

OMP (ENF.) (COMM.) 181/2025

10. This is a petition filed under Section 36(1) and (2) of the Arbitration and Conciliation Act, 1996 seeking enforcement of the Interim Order dated 10.06.2025 passed by the learned Arbitrator in the arbitral proceedings titled as *“Pacific Development Corporation Limited vs. DJT Retailers Private Limited”*.

11. In view of the Order passed in O.M.P. (COMM) 254/2025 dated 03.11.2025, the present petition has become infructuous.

JASMEET SINGH, J

NOVEMBER 3, 2025/DM