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

+ O.M.P.(I) (COMM.) 270/2025 & I.A. 16728/2025

SONIA BATRA

.....Petitioner

Through: Mr. Karanjot Singh Mainee, Mr. Sahil
Chopra, Ms. Manya Kaushik,
Advocates

versus

MANISH BATRA & ORS.

.....Respondents

Through: Mr. Meghan, Advocate for
Respondent Nos.2 & 3.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

22.12.2025

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1. The present petition under Section 9 of the Arbitration and Conciliation Act, 1996 [**"A&C Act"**] has been filed by the Petitioner with the following prayers:

"1. Grant a temporary injunction directing/restraining the Respondents, including their officers, agents, servants and assigns from subletting, assigning, parting with possession in favour of a third party or creating any third party interests in the Properties mentioned in Para 3(a) of the present Petition; and

2. Award the cost of this Petition to the Petitioner; and

3. Pass such further and other reliefs as the nature and circumstances of the case may require in the interest of justice and equity."



2. It is the case of the Petitioner that disputes have arisen between the parties under a Memorandum of Understanding dated 29.09.2018.
3. Notice was issued in the petition on 17.07.2025.
4. Learned Counsel for the Respondents has entered appearance after service.
5. Without going into the merits of the case, this Court gave a suggestion to the learned Counsels for the both sides as to whether this Court can appoint an Arbitrator to adjudicate upon the disputes between the parties and whether the present petition filed under Section 9 of the A&C Act can be treated as one filed under Section 17 of the A&C Act before the Arbitrator, the learned Counsel for the parties, on instructions, accept the said suggestion
6. Accordingly, Ms. V. Mohana, Senior Advocate (Mob No: 9868110575) is appointed as the Sole Arbitrator to adjudicate upon the disputes between the parties.
7. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.
8. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the 1996 Act within one week of entering reference.
9. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.
10. The Arbitrator is requested to make an endeavour to decide the application under Section 17 of the A&C Act in accordance within a period



of three weeks from the date of entering reference.

11. It is made clear that all the observations made in this Order are only restricted to the issue of appointment of an Arbitrator and this Court has not made any observations on the merits of the case.

12. Needless to state the Interim Order shall continue till the disposal of Section 17 application by the Arbitrator.

13. The Petition stands disposed of in the above terms, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

DECEMBER 22, 2025

S. Zakir