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

+ **FAO (COMM) 182/2025, CAV 264/2025 & CM APPL. 42214/2025 (Stay)**

VIKRANT MALIK

.....Appellant

Through: Mr. Arvind Nayar, Sr. Adv.
with Mr. Shivam Jasra, Mr.
Kartik Jasra, Ms. Vidhi Sharma,
Mr. Akshay Joshi, Mr. Nakul
Khanna and Mr. Hari Pratap
Singh, Advocates.

versus

SHUBHAM SATISH CHANDRA TRIPATHI

.....Respondent

Through: Mr. Samiron Borkataky, Mr.
Ikshvaaku Marwah and Mr.
Shyam Gaur, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

% **18.07.2025**

CM APPL. 42215/2025 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

FAO (COMM) 182/2025, CAV 264/2025 & CM APPL. 42214/2025 (Stay)

3. The present first appeal, under Section 37(1)(B) of the Arbitration and Conciliation Act, 1996 read with Section 13 of the Commercial Courts Act, 2015 (as amended up to date), has been filed impugning the Order dated 11.07.2025 passed by the learned District



Judge (COMM.)-03, West District, Tis Hazari Courts, New Delhi in
OMP(I)(COMM.)/735/2025.

4. With the consent of both the parties, this Court is inclined to
pass the following directions:-

- (i) Receiver to make an inventory of all the goods and assets belonging to the Partnership Firm ("**Firm**") and lock them up.
- (ii) The Petitioner undertakes that he will not touch any of the goods/assets of the Firm without the permission of the Respondent.
- (iii) The premises of the Firm shall not be locked by the Receiver.
- (iv) The Cameras and internet facility be always operational and to be maintained by both parties, along with redundant connectivity of internet and power.
- (v) The Parties undertake that no new business shall be conducted in the name of the Firm.
- (vi) That the Firm shall continue to provide customer service and replacement to the customers, for which prior intimation will be given to the Respondent. For the above purposes, the Parties shall jointly employ 2 professionals including a technical support staff.
- (vii) The parties shall jointly appoint a chartered accountant to take care of the books of the Firm and filing of tax returns.
- (viii) The Respondent agrees that the expenses for the above mentioned purposes/operations and for the rent shall be borne from the Firm's account, provided that the Petitioner will down-size the premises to run the above-mentioned operations.

5. The present appeal along with pending application(s), if any, is
disposed of in the aforesaid terms.

SUBRAMONIUM PRASAD, J

HARISH VAIDYANATHAN SHANKAR, J

JULY 18, 2025/nd/va