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

+ W.P.(C) 10841/2025, CM APPL.44797/2025, CM APPL.44798/2025

M/S KYS INFOTECH, PROP MS. SONAM BHARTIPetitioner
Through: Mr. Rohit Kumar and Mr. Aditya,
Advocates.

versus

STATE (GOVT OF NCT OF DELHI) & ORS.Respondents
Through: Ms. Harshita Nathrani, Advocate for
Mr. Sameer Vashisht, Standing
Counsel (Civil), GNCTD for R-1.
Ms. Anju Bhushan Gupta, Mr. Aditya
Goel and Mr. Sanyam Gupta,
Advocates for R-2 to R-4/DTO.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

25.07.2025

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1. The present petition has been filed by the petitioner being primarily aggrieved with the withholding of its payment pursuant to certain contracts awarded to the petitioner for supply of various products and services to respondent no. 3 / Delhi Technological University. The details of the Contracts awarded to the petitioner have been set out in the petition.
2. It is the contention of the petitioner that the payment due to the petitioner has been held on untenable grounds, including on the ground of certain objections by the Vigilance Department of the concerned respondent.
3. It transpires during the course of hearing that the petitioner has already filed a reference under Section 18 of the Micro, Small & Medium Enterprises Development Act, 2006 (MSMED Act) before the Micro Small Enterprises Facilitation Council (MSEFC), pursuant to which the



petitioner's case has been referred to the Delhi International Arbitration Centre (DIAC) for initiating arbitration proceedings under Section 18(3) of the MSMED Act and the Arbitration and Conciliation Act, 1996 on 11.02.2025. As such, the concerned arbitral tribunal is currently seized of the claims raised by the petitioner.

4. In the aforesaid circumstances, this Court is not inclined to entertain the present petition, while leaving it open for the petitioner to pursue its contractual and arbitral remedies against the concerned respondent for recovery of the amount due to the petitioner. All rights and contentions of the petitioner in this regard are hereby reserved.

5. The petition is disposed of in the above terms. All pending applications also stand disposed of.

SACHIN DATTA, J

JULY 25, 2025/r