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

+ ARB.P. 1181/2025

M/S MEHAI GOODS TRANSPORT CO.Petitioner

Through: Mr.Piyush Sanghi, Ms. Khushbu Sahu, Mr.Nikhil Singh, Mr. Raathitya Raj Mishra, Mr. Jayant Yadav, Ms. Sona, Mr. Ashish Mishra, Mr. Sujith Suresh, Advs.

versus

M/S INSTAKART SERVICES PRIVATE LIMITED.....Respondent

Through: Mr.Kumar Kislay, Ms. Avni Sharma, Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **21.11.2025**

1. Learned counsel for the respondent has raised various objections and learned counsel for the petitioner has made submissions to counter the same.
2. One of the fundamental objections raised by the respondent is *qua* jurisdiction of this Court to entertain this petition in view of clear stipulation in the arbitration clause conferring jurisdiction on Courts at Karnataka.
3. Learned counsel for the petitioner points out that the present dispute had earlier been referred to the Micro and Small Enterprises Facilitation Council (MSEFC) under Section 18 of the Micro, Small and Medium Enterprises Development Act, 2006 and only due to lack of progress in the said proceedings, the present petition has been filed. Therefore, according to him, the petition has to be construed as having been filed under Section 2(4)



of the Arbitration and Conciliation Act, 1996 (Arbitration Act).

4. Having considered the submission on behalf of the petitioner, since, the MSEFC is already seized with the matter, therefore, without prejudice to the rights and objections raised by the parties, the instant petition is disposed of with liberty to the parties to approach the said council and to take the issue to its logical end.

5. It be noted that the proceedings before the MSEFC be concluded with due expedition. Thereafter, if any of the parties has any grievance, it shall be at liberty to take appropriate recourse in accordance with the law. It is made clear that this order, however, shall not be treated to have expressed any opinion about the arbitrability or merits of the dispute.

6. In view of the above, the instant petition stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

NOVEMBER 21, 2025

Pallavi/amg