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

+ **O.M.P.(I) (COMM.) 324/2024**

**AVENIR MARITIME INDIA PRIVATE
LIMITED**

.....Petitioner

Through: Ms. Meghna Mishra, Mr. Rohit
Tripathy and Mr. Shreyansh Rathi, Advocates.

versus

RASHTRIYA ISPAT NIGAM LIMITED

.....Respondent

Through: Mr. Brijender Chahar, Senior
Advocate with Mr. Shravan Yammanur, Mr.
Mangesh Krishna and Ms. Prachi Kaushik,
Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **19.05.2025**

1. This petition is filed on behalf of the Petitioner under Section 9 of the Arbitration and Conciliation Act, 1996 ('1996 Act') for a direction to the Respondent to deposit a sum of Rs.14,20,75,086/- which according to the Petitioner is due and payable by the Respondent under the Vessel Charter Agreement between the parties.
2. On 22.10.2024, counsel for the Respondent had admitted that a sum of Rs.6,19,29,982.04 was due and payable to the Petitioner, which the Respondent was prepared to pay forthwith and thus the Court directed the Respondent to file a schedule of payment. The amount was however not paid. On 07.04.2025, a Senior Officer from the Ministry of Steel had appeared in the Court and assured that the admitted amount shall be paid on



or before 15.05.2025.

3. Ms. Meghna Mishra, learned counsel for the Petitioner acknowledges receipt of sum of Rs.6,19,29,982.04 within the timeframe granted by the Court.

4. Learned Senior Counsel for the Respondent submits that insofar as the balance amount is concerned, it is a matter of adjudication, which cannot be done in the present petition. It is further submitted that Petitioner has already approached the Micro and Small Enterprises Facilitation Council under Section 18 of the MSMED Act, 2016 and the matter is pending and therefore, this petition be disposed of as no further orders are required to be passed.

5. In response, Ms. Mishra submits that there is little progress before the Council as after the last date in December, 2024, no date has been fixed and in case, this Court is inclined to dispose of this petition, a direction be issued to the Council to expedite the proceedings.

6. Having heard both sides, I am of the view that no further order is required to be passed in this petition. Admitted amount stands paid to the Petitioner and the matter is pending before the Facilitation Council.

7. This petition is accordingly disposed of making it clear that Court has not expressed any opinion on the merits of the case and all rights and contentions of the parties are left open. The Council is requested to fix a date of hearing in the matter and make every endeavour to expedite the proceedings.

JYOTI SINGH, J

MAY 19, 2025/shivam