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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1756/2025, CM APPL. 56889/2025 & CM APPL. 56888/2025**

BHARAT PETROLEUM CORPORATION LTDPetitioner

Through: Mr. Kunal Kalra, Advocate.

versus

M/S I S C PROJECTS PVT LTDRespondent

Through: Ms. Aarushi Tikku, Advocate.

CORAM:
HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **10.09.2025**

1. Petitioner has assailed communication/order dated 11.08.2025 passed by the sole arbitrator. The impugned communication has been examined by me. A query is raised as to whether the communication of this nature can be judicially assailable, especially where the order passed on the application under Section 16 of the Arbitration and Conciliation Act has not been challenged. In response, learned counsel for petitioner submits that there is no order on application under Section 16 of the Act insofar as paragraph 3 of the minutes of hearing dated 05.03.2025, simply suggest/propose and not decide the issue in question.

2. On the other hand, learned counsel for respondent appearing on advance intimation submits that the present petition falls beyond the territorial jurisdiction of this court. According to her, the jurisdiction in the



present matter vests with the Bombay High Court.

3. Learned counsel for petitioner disputes the argument on jurisdiction of this court.

4. After part submissions, learned counsel for petitioner seeks permission to withdraw this petition with the request to direct the learned Arbitrator to decide the application under Section 16 of the Act, so that depending upon the outcome, appropriate legal proceedings may be instituted.

5. Accordingly, keeping the objection of territorial jurisdiction open, the petition is dismissed as withdrawn with the request to the learned Arbitrator to decide the application under Section 16 of the Act. The pending applications also stand disposed of.

GIRISH KATHPALIA, J

SEPTEMBER 10, 2025/ry