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

+ O.M.P. (E) (COMM.) 32/2024

G.D.GOENKA PVT. LTD.

.....Petitioner

Through: Mr. Keshav M. Gulati, Mr. RAGhav
Wadhwa & Ms. Ishita Kheria, Advs.

versus

SHRI RAM EDUCATIONAL TRUST & ANR.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

22.04.2025

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1. This is a petition filed under Section 27 of Arbitration and Conciliation Act, 1996, seeking direction to the respondents to produce and disclose the documents/details as directed to be produced by the Arbitral Tribunal *vide* Order dated 22.06.2024.
2. On 22.06.2024, the Tribunal directed as under:-

“9. The Tribunal, on further perusal, have not been able to locate any such contemporaneous documents on behalf of the Respondents addressing such requests of the Claimant. The Counsel for the Respondents, during the course of oral submissions, had made a submission that all such data was already shared with the Claimant on an annual basis. However, the Counsel for the Respondents did not bring to the attention of the Tribunal any such documents placed on record. In light of the foregoing, the Respondents are hereby



directed to produce all such financial records pertaining to the School including the school fees and revenue collected (if any) for the period from 2015 -2016, 2016-17, 2017 -18, 2018-19, 2019-20, 2020-21 and 2021-22. Therefore, the relief under Paragraph 3 (a) [under which points (c) and (d) have been submerged] herein above is allowed and is answered accordingly.

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12. In the event such financial statements of the Respondent No. 1 in relation to the School concerned are not readily available online, the Respondent No. 1 is directed to produce the same for the Claimant's inspection and perusal. Therefore, the relief under Paragraph 3 point (e) herein above is answered accordingly.

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16. It is therefore directed that in the event such applications/affidavits had been filed by the Respondents at the relevant point in time, the same may be produced/filed before the present Tribunal. Therefore, the relief under Paragraph 3 point (f) and (g) herein above is answered accordingly.”

3. Since the documents were not supplied by the respondents, the petitioner moved an application before the Arbitral Tribunal seeking permission to approach the High Court, thereby seeking appropriate reliefs against the respondents. *Vide* Order dated 09.09.2024, the Arbitral Tribunal granted approval to the petitioner to approach the



Court under Section 27 of Arbitration and Conciliation Act, 1996.
Hence, the present petition.

4. Notice was issued and despite repeated opportunities to the respondents, no reply has been filed by the respondents.
5. On 14.02.2025, last and final opportunity was granted to the respondents to file a reply, subject to payment of cost of Rs.5,000/-.
6. Neither the cost has been paid, nor a reply has been filed, nor is anybody representing the respondents today.
7. Since an application under section 27 has been allowed by the Arbitral Tribunal on 09.09.2024, the said order has not been set aside, varied, modified, nor there is any opposition to the same.
8. In this view of the matter, I am inclined to allow the petition.
9. The petition is allowed and the respondents shall produce the documents as allowed in paras Nos. 9, 12 and 16 of the Order dated 22.06.2024 passed by the Arbitral Tribunal.
10. The petition is disposed of in abovesaid terms.

JASMEET SINGH, J

APRIL 22, 2025/pk

Click here to check corrigendum, if any