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

\+ O.M.P.(I) (COMM.) 496/2025 & I.A. 30139/2025

NITIN GUPTA ....Petitioner

Through: Ms. Rashika Narain and Mr. Kanishk Garg, Advs.

versus

SANJAY SINGH & ORS. .....Respondents

Through: Mr. Manish Vashisht, Sr. Advocate with Mr. Alok Singh, Mr. Vedansh Vashisht and Ms. Nitika Jangir, Advs.

**CORAM:**
**HON'BLE MR. JUSTICE JASMEET SINGH**

**O R D E R**

**%** **03.12.2025**

1. This is a petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 ("***1996 Act***") seeking the following reliefs:

> *"A. Restrain the Respondents from selling, transferring, encumbering, parting with possession of, or otherwise alienating any movable asset of the Firm, including but not limited to the Mercedes vehicle, laptops, office equipment, and any other properties standing in the name of the Firm or acquired from Firm funds.*
>
> *B. Restrain the Respondents from operating, withdrawing, transferring, or dealing with any funds in the Firm's bank accounts, except with the joint signatures of all partners or with leave of this Hon'ble Court.*
>
> *C. Appoint a Court Commissioner to verify, list, and take symbolic*

*custody of the Firm's assets to ensure no dissipation pending arbitration."*

2. The brief facts of the case are that the petitioner was a partner in M/s ARCOP Associates which was a partnership firm of the petitioner and the respondent Nos. 1 to 5 formed through partnership deed dated 04.08.2014 which was amended by 01.04.2019, 07.01.2020 and 01.04.2022. The petitioner approached this Court in O.M.P. (I) (COMM.) 378/2025 seeking access to the accounts of the firm. This Court vide Order dated 15.09.2025 granted unqualified access of the accounts to the petitioner. Since the respondents failed to comply with the said order, the petitioner invoked arbitration *vide* legal notice dated 14.11.2025. Subsequently, the respondents dissolved the partnership on 18.11.2025.

3. The Partnership Deed contains an arbitration clause being Clause No. 15 which reads as under:

> *"15. In case of any difference or dispute arising between the parties, the same shall be referred to arbitration in accordance with the provisions of Indian Arbitration Act, 1996."*

4. Ms. Narain, learned counsel for the petitioner, states that the petitioner is apprehensive that the respondents will dissipate the assets of the partnership firm and the same would be prejudicial to the petitioner.

5. Mr. Vashisht, learned senior counsel for the respondents, on instructions states that the respondents shall maintain status quo with regard to partnership assets of the firm.

6. Additionally, the respondents shall also give a list of assets of the

partnership firm which the petitioner would be entitled to challenge in accordance with law, if according to the petitioner some assets have not been disclosed).

7. Mr. Vashisht, learned senior counsel for the respondents, states that the parties may be referred to ad hoc arbitration and the learned arbitrator may fix fee in consultation with the parties.

8. For the said reasons and with consent of parties, following directions are issued:-

i) Ms. Rashmi Chopra (Sr. Advocate) (Mob. No. 9810311218) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties.

ii) The Arbitrator shall fix her own fee in consultation with the parties.

iii) The learned Arbitrator is requested to furnish a declaration in terms of Section 12 of the Act prior to entering into the reference.

iv) It is made clear that all the rights and contentions of the parties, including as to the arbitrability of any of the claim, any other preliminary objection, as well as claims/counter-claims and merits of the dispute of either of the parties, are left open for adjudication by the learned arbitrator.

v) The parties shall approach the learned Arbitrator within two weeks from today.

9. This petition shall be treated as an application under Section 17 of the Arbitration and Conciliation Act, 1996 and be decided by Arbitrator in accordance with law.

10. Till the application is decided, the interim order passed today shall

continue.

11. The petition is disposed of in aforesaid terms.

**JASMEET SINGH, J**

**DECEMBER 3, 2025/AS**