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

+ W.P.(C) 18745/2025 & CM APPL. 78030/2025

VIVAAN SOLAR PVT LTD.

.....Petitioner

Through: Mr. Arun Dudawat, Mr. Apoorv Singhal, Mr. R. Venkataraman and Mr. Md. Ashfaq, Advocates
Mob: 9425111380
Email: a.doodawat@gmail.com

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Shashank Bajpai, CGSC with Mr. Vasuchit Anand, GP
Mob: 9267981019
Email: vasuchitanand502@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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10.12.2025

1. The present writ petition has been filed seeking directions to restrain the respondents from dismantling or removing the Solar Power PV Plant installed by the petitioner at four railway stations in Delhi, till final adjudication of the arbitral proceedings pending between the parties.
2. There is further prayer for directions to quash the letter dated 06th November, 2025, passed by respondent no. 2.
3. Learned counsel appearing for the petitioner submits that on account of the various disputes between the parties, the petitioner had filed an application bearing *Arb. P. No. 191/2021* under Section 11 of the Arbitration and Conciliation Act, 1996, before this Court seeking appointment of an



arbitrator. Accordingly, *vide* order dated 09th September, 2021, Hon'ble Mr. Justice A.P. Shah, Former Chief Justice of this Court was appointed as the arbitrator.

4. Learned counsel appearing for the petitioner submits that arguments before the learned arbitrator are already complete. However, he submits that the final award is yet to be delivered.

5. He further submits that in the meanwhile, the respondents have issued fresh tender for redevelopment of the railways stations *viz.* New Delhi Railway Station, under the garb of which, the Solar Power Systems installed by the petitioner, having capacity of 2.0 MW out of 5 MW, are going to be removed without settling of the accounts of petitioner, which will cause material loss to the petitioner.

6. It is submitted that the Power Purchase Agreement ("PPA") dated 16th November, 2026 between the parties provides for buy back options and other mechanisms. However, respondents, without adhering to the same, are seeking to remove/ damage the installed Solar Power Systems in the name of redevelopment of railway stations, which is patently illegal.

7. It is submitted that all other railway stations, including, Old Delhi Railway Station and Hazrat Nizamuddin Railway Station are under the scheme of redevelopment.

8. Thus, the present writ petition has been filed seeking to restrain the respondents from selling, transferring or otherwise disposing of the Solar Plant Systems situated at the railway stations, in Delhi pending final adjudication in the arbitration proceedings.

9. Having heard learned counsel appearing for the petitioner, this Court takes note of the fact that arbitration proceedings are pending before the sole



arbitrator. Though final arguments have already been advanced by the parties, the final award is yet to be passed by the learned arbitrator.

10. Accordingly, the proceedings before the learned arbitrator cannot be said to have terminated.

11. The prayer, which is sought before this Court, ought to be made before the learned arbitrator, since the parties are already before the learned arbitrator with respect to the subject matter of the present writ petition.

12. With the aforesaid directions, the present writ petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

DECEMBER 10, 2025

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