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

% ***Date of Decision: 27th March, 2025***

+ **CM(M) 31/2025 & CM APPL. 1348/2025 & CM APPL. 17583/2025**

SH SATBIR SINGHPetitioner

Through: Mr. Tanmay Mehta, Mr. Sourabh Gupta, Mr. Puneet Yadav, Mr. Vasu Dev and Mr. Akshansh Gupta, Advocates

versus

MS VERSATILE COMMOTRADE PRIVATE LIMITED

.....Respondent

Through: Mr. Nikhilesh Krishnan, Mr. Siddharth Singh and Mr. Abhishek Bhushan Singh, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 17583/2025 (condonation of delay)

1. In view of the reasons stated in the application, the delay in filing the present petition is condoned.
2. Application stands disposed of

CM(M) 31/2025 & CM APPL. 1348/2025

3. Present petition has been filed under Article 227 of the Constitution of India by Mr. Satbir Singh, who is defending a claim petition filed by M/s Versatile Commotrade Private Limited.
4. The grievance raised in the present petition is with respect to the order dated 05.11.2024 whereby the learned Sole Arbitrator has declined to summon witnesses mentioned at Serial Nos. 2, 7, 8 & 9 of the list of witnesses



of the petitioner herein.

5. However, during course of the arguments, it was apprised that an application has already been filed by the petitioner herein seeking recall of the aforesaid order.

6. According to petitioner, such application was filed on 15.11.2024 and has yet not been taken up for disposal. Learned counsel for respondent/claimant also submits that such application is pending adjudication before the learned Sole Arbitrator.

7. Evidently, if the aforesaid application is decided in favour of the petitioner herein, the present petition would become infructuous. In such a situation, it is not appropriate for the petitioner to invoke supervisory jurisdiction, at the moment. Therefore, without making any observation with respect to the merits of the present petition, the same is disposed of with request to the learned Sole Arbitrator to consider the aforesaid application, as expeditiously as possible.

8. Needless to say, if petitioner is aggrieved by the outcome of his aforesaid application, he would be at liberty to approach this Court again. Such order is without prejudice to the rights & contentions of the respondent.

9. The present petition, along with all the pending applications, stands disposed of in aforesaid terms.

10. All the rights and contentions of the parties are reserved.

(MANOJ JAIN)
JUDGE

MARCH 27, 2025/dr/SS