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

+ O.M.P. (T) (COMM.) 128/2025, I.A. 31654/2025, I.A. 31655/2025 & I.A. 31656/2025

**SGN UNIVERSAL CONSTRUCTION COMPANY
PVT LTD**

.....Petitioner

Through: Mr. Dayan Krishnan and Mr. Gautam Narayan, Senior Advocates with Ms. Aakashi Lodha, Mr. Sanjeevi Seshadri, Mr. Sreedhar Kale, Ms. Radhika Yadav & Ms. Nishtha Jindal, Advocates.

versus

MORPHEUS PRODEVELOPERS PVT LTDRespondent

Through: Mr. Neeraj Malhotra, Senior Advocate with Mr. Abhishek Anand, Mr. Karan Kohli, Ms. Palak Kalra, Mr. Nimish Kumar, Mr. Abhyuday Dasmana & Mr. Rajat Gupta, Advocates.

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER
17.12.2025**

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1. The present petition has been filed under Section 14 and 15 of the Arbitration and Conciliation Act, 1996 [hereinafter the 'Act'] seeking reinstatement of the mandate of the learned Sole Arbitrator.
2. The learned Sole Arbitrator *vide* order dated 24th November, 2025 has terminated proceedings under Section 32(2) of the Act. For ease of reference, the said order is set out below:



ORDER dated 24.11.2025

The tribunal is of the opinion that hearing regard to the progress of the matter especially in view of pending of proceedings under Insolvency and Bankruptcy Code, 2016, and stay of the present proceedings from 06.05.2025, and the stage of the proceeding it would no longer be possible to conduct the arbitration as to conclude it within the time permitted. The tribunal is accordingly of the opinion that continuation of proceeding is no longer possible due to the circumstances and progress achieved by the parties. Accordingly the tribunal hereby terminates the proceeding under Section 32(2) of the Arbitration Act.

3. Counsel appearing on behalf of the parties on either side have placed reliance on the recent judgment of Supreme Court of India, in **Harshbir Singh Pannu v. Jaswinder Singh**, 2025 SCC OnLine SC 2742. Reliance has been placed on paragraph no. 415 (viii) of the said judgment which is set out below:

“415. A conspectus of our legal discussion is as under:—

(VIII) Where an arbitral tribunal passes an order for terminating the proceedings under the Act, 1996, the appropriate remedy available to the parties would be to first file an application for recall of such order before the arbitral tribunal itself. The arbitral tribunal would then in turn be required to examine whether the order does or does not deserve to be recalled.”

4. In light of the above, let the petitioner move an appropriate application for recall of the order passed by the learned Sole Arbitrator.
5. Needless to state, once such an application is moved, the learned Sole Arbitrator shall take a decision on the same.
6. In light of the aforesaid, the present petition is disposed of.
7. All the pending applications also stand disposed of.

AMIT BANSAL, J

DECEMBER 17, 2025/at