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

+ TR.P.(C.) 58/2026, CM APPL. 18253/2026 (stay)

SMT KIRON KAPOOR

.....Petitioner

Through: Mr. Rajat Wadhwa, Mr. Gurpreet
Singh, Ms. Anshika Juneja, Advs.

versus

LATE SH B R SETHI DECEASED THROUGH LRS

.....Respondent

Through: Mr. Rajesh Bhatia, Mr. Hemant
Kakkar, Advs. through Vc. Along with
Rohit Sethi in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **24.03.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 18254/2026 (exemption)

2. Allowed, subject to all just exceptions. This application is allowed and disposed of.

TR.P.(C.) 58/2026, CM APPL. 18253/2026 (stay)

3. The present petition under Section 24 of the CPC, 1908 read with Section 151 of the CPC seeks the following prayers: -

“A. Withdraw and transfer Arbitration Petition No. 121 of 2023 titled “Smt. Kiron Kapoor Vs Sh. B.R. Sethi” presently pending before the Ld. District Judge-03 (West District), Tis Hazari Courts, Delhi to the Court of the learned District Judge (Commercial Court), West District, Tis Hazari Courts, Delhi, to be proceeded with in accordance with law;

B. Stay the operation of Award dated 30.06.2023 which is subject matter of Arbitration Petition No. 121 of 2023 till the time the said



petition is taken up and heard on merits by a court of competent jurisdiction.

C. Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

4. By way of the present petition, withdrawal and transfer of Arbitration Petition No.121/2023, filed by the petitioner under Section 34 of the Arbitration and Conciliation Act, 1996 seeking setting aside of arbitral award dated 30.06.2023, pending before the Court of learned District Judge, West District, Tis Hazari Courts, to the Court of learned District Judge Commercial, West District, Tis Hazari Courts, Delhi, has been sought.

5. Mr. Rajesh Bhatia, learned counsel for the respondent has no objection; however, he seeks a prayer for expeditious disposal of the subject petition.

6. In view thereof, Arbitration Petition No.121 of 2023 titled “Smt. Kiron Kapoor Vs Sh. B.R. Sethi” presently pending before the learned District Judge-03 (West District), Tis Hazari Courts, Delhi, is transferred to the learned Principal District & Sessions Judge, West District, Tis Hazari Courts, Delhi, who shall assign the same to the Commercial Court of competent jurisdiction. Let the records of the said petition be transferred to the concerned Court within a period of 10 days. Parties are directed to appear before the concerned Court accordingly. The said petition shall proceed from the stage it is being transferred.

7. With the aforesaid directions, the present petition is disposed of.

8. The concerned Learned District Judge, (Commercial Court), West District, Tis Hazari Courts, Delhi is requested to expedite the hearing of the aforesaid Arbitration Petition, without giving undue adjournment to either of the parties.



9. Pending applications, if any, also stand disposed of accordingly.
10. Copy of the order be sent to the learned District Judge-03 (West District), Tis Hazari Courts, Delhi and the learned Principal District and Sessions Judge, West District, Tis Hazari Courts, Delhi, for necessary information and compliance.
11. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MARCH 24, 2026/kr/ah