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

+ **ARB.P. 587/2026**

LAVA INTERNATIONAL LTD

.....Petitioner

Through: **Mr. Pradeep Bhardwaj, Advocate**

versus

M/S TUKAI TOURS

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

07.04.2026

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1. The Petitioner has approached this Court by filing the present petition seeking appointment of an Arbitrator to adjudicate the disputes which have arisen between the parties.
2. The facts of the case reveal that the Respondent approached the Petitioner and represented that he possess expertise and infrastructure to organize a large scale international group tour to Thailand for Petitioner's retailers and business partners.
3. The Petitioner issued a Purchase Order on 06.11.2025 in favour of the Respondent for organizing the said tour. Disputes have arisen between the parties regarding payment.
4. It is the case of the Petitioner that the disputes arising out of the Purchase Order will be settled by arbitration and that Courts at Delhi will have exclusive jurisdiction. This Court has gone through the Purchase Order.



5. The General Terms and Conditions of the Purchase Order deals with supply of supervision, labour, parts, materials, transportation and warranties necessary in respect of the Purchase Order. It appears that the Purchase Order which is generally used by the Petitioner for its vendors has been used for this contract also.

6. In the present case, the disputes primarily concerns with an agreement under which the Respondent, a tour operator, has entered into the contract for organizing a tour which has nothing to do with the terms and conditions of the Purchase Order and therefore the arbitration agreement will not cover the present dispute.

7. Confronted with this, learned Counsel for the Petitioner seeks permission to withdraw the present petition with liberty to seek remedies as available to the Petitioner under law.

8. Permission and liberty, as sought for, is granted.

9. It is made clear that all the observations made in this order deals with the issue as to whether an arbitrator can be appointed and this Court has not made any observation on the merits of the case.

10. It is always open for the Petitioner to take appropriate steps in accordance with law and seek appropriate remedies for adjudicating the disputes with the Respondent.

11. The petition is disposed of as withdrawn along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

APRIL 07, 2026

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