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IN THE HIGH COURT OF DELHI AT NEW DELHI

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FAO(OS) (COMM) 153/2026, CM APPL. 38424/2026, CM APPL. 38425/2026

MAHARASHTRA MMLP PVT LTD

...Appellant

Through: Mr. Gautam Narayan, Sr. Adv. with
Ms. Asmita Singh, Mr. Devansh
Malhotra, Advs.

Versus

DC MULTI MODAL PARK NAGPUR PVT LTD &
ANR.

...Respondents

Through: Mr. Abhijat, Sr. Adv. with Mr.
Ratneshwar Das, Mr. Sanjay Kr.
Chhetry, Mr. Arpan Rathore and
Ms. Swati Singh, Advs. for R-1

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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01.06.2026

1. By virtue of the present appeal under *Section 37(1)(b)* of the Arbitration and Conciliation Act, 1996 (**A&C Act**), the appellant seeks setting aside of the order dated 19.05.2026 (**impugned order**) passed by the learned Single Judge in O.M.P.(I)(COMM.) 145/2026.

2. To assail the impugned order, learned senior counsel for the appellant has primarily drawn the attention of this Court to the timelines involved, especially since it is an admitted case of the parties that though the termination of respondent no.1 took place way back in September, 2025, and that subsequently the Letter of Award dated 18.03.2026 was also issued in favour of a third party being respondent no.2 herein with



whom the appellant has yet been unable to finalise the contract, however, the parties have now been directed to maintain *status quo* under *Section 9 A&C Act* *vide* the impugned order, thereby causing further delay in the infrastructure project involved.

3. Learned senior counsel for the respondent no.1, appearing on advance service, without adverting to the merits involved, submits that as evinced from the impugned order, both the parties have already nominated their respective Arbitrators, and only the appointment of the Presiding Arbitrator is due. He submits that it is in the interest of both the parties involved, as also for an expeditious disposal of the disputes *inter se* themselves that the respondent no.1 move an appropriate application before the learned Single Judge for treating its pending application under *Section 9 A&C Act* being O.M.P.(I) (COMM.) 145/2026, as an application under *Section 17* thereof before the learned Arbitrators.

4. Learned senior counsel for the appellant also submits that he has no objection if the present appeal is disposed of in the aforesaid terms.

5. In view of the aforesaid and considering the timelines involved as also the factual matrix at hand, and in the interest of expeditious disposal and at request of learned senior counsels for the parties, it is deemed appropriate if the nominated Arbitrators, namely, Justice (Retd.) Indira Banerjee, Former Judge, Supreme Court of India as also Justice (Retd.) G.S. Sistani, Former Judge, Delhi High Court deliberate and arrive at a decision to appoint an umpire within a period of *one week* from the date of receiving this order.

6. Let a copy of this order be sent to Justice (Retd.) Indira Banerjee, Former Judge, Supreme Court of India as also Justice (Retd.) G.S. Sistani,



Former Judge, Delhi High Court, for compliance and information.

7. The present appeal is disposed of in the aforesaid terms.

SAURABH BANERJEE, J
(VACATION JUDGE)

AMIT SHARMA, J
(VACATION JUDGE)

JUNE 1, 2026/bh