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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(I) (COMM.) 249/2026 & I.A. 16101/2026
M/S RRE TERRA CRAFT PVT LTDPetitioner
Through: Mr. Anurag Kaushik, Advocate.

versus

UNION OF INDIA MINISTRY OF ENVIRONMENT FOREST
AND CLIMATE CHANGERespondent
Through: Ms. Iram Majid- CGSC with Mr.
Mohd. Suboor, Advocate (through
VC).

CORAM:
HON'BLE MR. JUSTICE TEJAS KARIA

ORDER
22.06.2026

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I.A. 16102/2026 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

O.M.P.(I) (COMM.) 249/2026

3. This is a Petition under Section 9 of the Arbitration & Conciliation Act, 1996 seeking following prayers:

“(a) Pass an ex-parte order thereby restraining the respondent from giving effect to the termination notice dated 22.05.2026 during the pendency of the arbitration proceedings; And/Or;

(b) Pass an order thereby restraining the respondent from encashing bank guarantee no. 083BG0131560001 dated 05.06.2023 of Rs. 1,03,11,169/- extended upto 11.08.2026) and BG No. 083BG01252690003 of Rs. 21,92,813/- (extended upto 26.09.2026) issued by Yes Bank Limited, Branch: B-7 & B-8, Gujranwala Town, Opp. Model Town, Delhi during the pendency of the arbitration proceedings; And/Or;



(c) Pass an order thereby directing the respondent to measure the work done by the petitioner till the date of termination notice dated 22.05.2026 in the presence of authorized representative of the petitioner under the orders of the Court and not to recover any amounts from the petitioner till the final bill is certified; And/Or;

(d) Pass an order thereby restraining the respondent from retendering the work in question till the measurements are recorded and certified in the presence of the authorized representative of the petitioner; And/Or;

(e) Award cost of this proceeding in favour of the petitioner and against the Respondent And/Or;”

4. Learned Counsel for the Petitioner submitted that the Respondent has vide Termination Notice dated 22.05.2026 unlawfully terminated the Contract dated 01.06.2023 executed between the Parties, while the work was still in progress. It was further submitted that the security deposit has also been forfeited by way of deductions from the Running Account Bills and the Bank Guarantees for ₹1,03,11,169/- and ₹21,92,813/- have already been invoked by the Respondent after the filing of the present Petition and prior to its listing today. Accordingly, prayer (b) of the Petition, insofar as it seeks to restrain the Respondent from encashing the Bank Guarantees, has become infructuous.

5. After addressing arguments at some length, learned Counsel for the Petitioner submitted that the Petitioner would like to confine the reliefs sought in the present Petition to prayer (c), namely, a direction for joint measurement of the work executed by the Petitioner up to the date of the Termination Notice dated 22.05.2026, in the presence of the authorised representatives of both the Petitioner and the Respondent, under the directions of this Court.



6. Issue Notice. Learned Counsel for the Respondent accepts Notice.
7. Learned Counsel for the Respondent submitted that the Respondent has no objection to a direction being issued for joint measurement on a date to be fixed by this Court.
8. In view of the aforesaid, it is directed that joint measurement of the work executed by the Petitioner up to 22.05.2026 shall be carried out on 25.06.2026 in the presence of the authorised representatives of both the Petitioner and the Respondent.
9. It is clarified that the direction for joint measurement has been issued on the basis of the agreement between the Parties and without examining the merits of the case. The said direction shall be without prejudice to the rights and contentions of the Parties, which are expressly reserved. The Parties shall be at liberty to move an appropriate application before the learned Arbitral Tribunal, as and when constituted.
10. The Petition is disposed of in the aforesaid terms. The pending Application also stands disposed of.

TEJAS KARIA, J
(VACATION JUDGE)

JUNE 22, 2026
‘gsr’