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

+ O.M.P.(I) (COMM.) 171/2025

M/S VELJI RATNA SORATHIA INFRA PVT. LTD

.....Petitioner

Through: Mr. Jatin Kumar, Advocate.

versus

AIRPORTS AUTHORITY OF INDIARespondent

Through: Mr. Digvijay Rai, Standing Counsel along with Mr. Archit Mishra, Advocate & Mr. Gagan Kochar, Senior Manager Law-AAI, Ms. Pragya Bansal, JE and Ms. Kashish Singhal, JE (Law).

CORAM:

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

ORDER

22.04.2026

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1. The present Petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 [**“Act”**] seeking the following reliefs:-

“i. pass an injunction order staying the operation of letter dated 05.05.2025 issued by respondent, or in the alternative

ii. restraining the Respondent from taking any coercive steps pursuant to letter dated 05.05.2025”

2. This Court takes note of the fact that by virtue of Order dated 13.05.2025, the Petitioner was granted the following interim relief:-

“16. For the reasons recorded above, till the next date of hearing, the invocation of Bank Guarantee bearing Nos. QXOGPGE233030514, dated 30.10.2023 and 0605NDLG00003725 shall remain stayed, if not, already done till 11:50 am today, subject to the petitioner keeping them alive.”



3. Learned counsel appearing on behalf of the Petitioner submits that a Petition under Section 11 of the Act has been preferred on behalf of the Petitioner, which came to be filed by him yesterday.

4. This Court is of the view that, considering the statutory mandate of Section 9(2) of the Act, arbitration proceedings should be commenced within a period of 90 days from the grant of any interim relief, as sought for therein.

5. The interim reliefs were granted to the Petitioner on 13.05.2025, and they have been enjoying the fruits of it for almost a year. The Petitioner has chosen to invoke the arbitration proceedings, much after the aforesaid prescribed period of 90 days.

6. In view of the foregoing, this Court is of the view that the present Petition cannot be permitted to remain pending on the Board of this Court.

7. The present Petition, along with pending Application(s), if any, stands dismissed.

HARISH VAIDYANATHAN SHANKAR, J
APRIL 22, 2026/nd/dj