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

+ **O.M.P.(I) (COMM.) 202/2025**

M/S SELECT INFRASTRUCTURE PRIVATE LIMITED

.....Petitioner

Through: Ms. Neha Jain, Mr. Aditya Chauhan, Mr. Eish Kesarwani, Mr. Parth Gautam and Ms. Divyanshu Rathi, Advocates.

versus

LEX LAND SECURITIES PRIVATE LIMITED

.....Respondent

Through: None.

CORAM:

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

13.03.2026

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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:-

- “a) direct the Respondent to deposit a sum Rs. 1,49,52,802.66/-, being the amount payable on account of pending CAMM and utility charges alongwith interest @ 2% p.m. till date.
- b) direct the Respondent to keep depositing the quarterly CAMM and monthly utility charges in terms of the Sale Deed in future till the matter is finally adjudicated by the arbitrator, with the registry of this Hon'ble court;
- c) pass *ex-parte* ad-interim directions in favour of the Petitioner as sought hereinabove;
- d) any other reliefs as this Hon'ble court may deem fit and proper in the facts and circumstances of the matter.”

2. Learned counsel for the Petitioner submits that a Petition under Section 11 of the Act has been preferred before this Court, for



appointment of an Arbitrator, which is yet to be listed.

3. He further submits that the parties are presently engaged in discussions for exploring the possibility of an amicable settlement.

4. In pursuance thereto, this Court notes that the present Petition under Section 9 of the Act has been pending since 28.05.2025. However, where the Court grants any interim measure of protection before the commencement of arbitral proceedings under Section 9(2) of the Act, the arbitral proceedings are required to commence within a period of 90 days from the date of such order.

5. In the present case, although no interim orders for protection have been passed, this Court finds that no effective steps appear to have been taken by the Petitioner to commence the arbitral proceedings till very recently. In any event, since the Petitioner has already filed a Section 11 petition for appointment of an arbitrator, and since the parties are negotiating, the Petitioner can always prefer a Section 17 Application for the concerned reliefs.

6. In view of the above, this Court is of the opinion that there arises no necessity for the present Petition to remain pending before this Court.

7. Accordingly, the present Petition, along with all pending application(s), if any, stands dismissed due to the aforesaid reasons.

HARISH VAIDYANATHAN SHANKAR, J.
MARCH 13, 2026/nd/kr