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

+ **O.M.P.(I) (COMM.) 317/2024**

DEVYANI INTERNATIONAL LIMITED

.....Petitioner

Through: None.

versus

GHULAM NABI KATHROO & ORS.

.....Respondents

Through: Mr. Abhay Chitravanshi and Ms. Riya
Goel, Advocates

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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08.01.2026

1. The present petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, ("Act"), seeking direction to restrain the respondent from interfering with the business of the petitioner being run under the name "KFC", at the ground and first floors, GEN Bus Stand, K.P. Road, Anantnag, Jammu and Kashmir, which was leased to the petitioner by the respondents by way of a Lease Deed dated 07th November, 2021.
2. None appears for the petitioner when the matter is called out.
3. Learned counsel appearing for the respondents draws the attention of this Court to the order dated 30th September, 2024, which reads as under:

"1. Learned counsel for the respondent submits that she has not been supplied the complete copy of the paper-book. Although the same is refuted by the learned counsel for the petitioner, let an additional copy of the complete paper-book be supplied by the learned counsel for the petitioner to the learned counsel for the respondent during the course of the day.

2. Learned counsel for the respondent seeks four weeks' time to file a reply. Let reply be filed within a period of four weeks from today.

3. Learned counsel for the respondent submits that till the next date



of hearing, the respondent shall not forcibly dispossess the petitioner or interfere with the business of the petitioner being carried out from the premises in question, without leave of the Court.

4. List on 03.12.2024.”

(Emphasis Supplied)

4. By referring to the aforesaid order, learned counsel appearing for the respondents submits that the petitioner is still continuing with the occupation of the premises in question, and that the respondents shall not forcibly dispossess the petitioner or interfere with the business of the petitioner, being carried out from the premises in question. He further submits that the respondents have already taken their legal remedies, and have filed a civil suit in the District Court in Anantnag bearing C.O.S 76/2025.

5. He further submits that the petitioner in the present case has already filed an application in the said civil suit, for reference of the matter to arbitration. He, thus, submits that the parties have already invoked their legal remedies.

6. Having heard learned counsel appearing for the respondents, this Court notes the submission made by learned counsel for the respondents that the petitioner is still continuing with the occupation of the premises in question, and that the respondents have already initiated their remedies, in accordance with law.

7. Accordingly, no further orders are required to be passed in the present petition.

8. Noting the aforesaid, the present petition is disposed of.

MINI PUSHKARNA, J

JANUARY 8, 2026

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