

RENU SAHRAWAT Vs. SONI INFRATECH PRIVATE LIMITED

20.03.2026

VC of this court is not working properly today.

Present: Ms. Riya Srivastava, Ld. Counsel for petitioner.

1. The present application under Section 9 of Arbitration Act was filed by the applicant against the respondent seeking to restrain the respondent from cancelling the allotment letter in favour of the petitioner.

2. Upon filing of present application, the petitioner pressed upon his application for interim relief and vide order dated 14.08.2025 ex-parte interim injunction was granted in favour of petitioner and against the respondent.

3. Since thereafter, matter was listed on 20.09.2025, 17.11.2025, 29.01.2026 and 12.03.2026. on the last date of hearing, this court was apprised that till date, the arbitration proceedings have not been initiated by the applicant.

4. It is stated by Ld. Counsel for petitioner that the petitioners are not inclined to file any further proceedings against the respondent herein. It is further submitted that the builder not once appeared before this court and he has been running away from his liabilities after issuing arbitrary illegal demand notice. It is further stated that the applicants have been running to pillar to post for justice but they have been failed to get the same.

5. Be that as it may, Section 9 (2) of Arbitration and Conciliation Act 1996 provides as follows:

*“(2) Where, before the commencement of the arbitral proceedings, a Court passes an order for any interim measure of protection under sub-section (1), the **arbitral proceedings shall be commenced within a period of ninety days from the date of such order or within such further time as the Court may determine**”*

6. Since despite availing ex-parte interim order in his favour on 14.08.2025, the petitioner failed to take appropriate steps for commencement of arbitration proceedings even after lapse of 7 months, there is no reason for this court to provide extension of time to the petitioner to take appropriate steps in terms of Section 9 (2) of Arbitration and Conciliation Act.

7. In view of the same, interim stay stands vacated. Further, no fruitful purpose will be achieved by keeping the present application pending, since despite availing interim relief the petitioner has failed to take appropriate steps as per the law.

8. In view of the same, the present application stands disposed off.

9. File be consigned to record room after due compliance.

(Anubhav Jain)
District Judge -05, NDD,
PHC/ND/20.03.2026