



\$~32

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

+ **CS(OS) 836/2025 & I.A. 2056/2026**

**MRS. SATHY GOPALA KRISHNAN**

.....Plaintiff

Through: None.

versus

**M/S LA CASSA CONSTRUCTION LLP & ANR.**

.....Defendants

Through: Mr. Jeevesh Nagrath, Sr. Advocate  
with Mr. Amit V. Awasthi, Avinash  
Ankit, Mr. Ishaan Raj and Mr. Rishi  
K. Awasthi, Advocates

**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER**

**23.01.2026**

%

**I.A. 2056/2026**

1. The present application has been filed under Section 8 of the Arbitration and Conciliation Act, 1996 ("Arbitration Act") read with Order VII Rule 10 and Section 151 of the Code of Civil Procedure, 1908 ("CPC"), on behalf of the defendants.
2. Learned Senior Counsel appearing for the defendants submits that the suit filed by the plaintiff is not maintainable, as there exists an Arbitration Clause in the Memorandum of Understanding ("MoU") dated 07<sup>th</sup> January, 2025, executed between the plaintiff and the defendants.
3. Attention of this Court has been drawn to the MoU dated 07<sup>th</sup> January,



2025 between the parties, wherein, Clause 4 reads as under:

“xxx xxx xxx

*4. That any dispute and differences arising amongst the parties under this Agreement shall be in the first instance tried to be sorted out amicably failing which the same shall be referred to Arbitration and the party/ies can approach the Court for appointment of an Arbitrator to be appointed in accordance with the Arbitration & Conciliation Act, 1996 and amendments up-to-date, whose decision shall be final and binding upon the parties. The provisions of Arbitration and Conciliation Act, 1996 shall be applicable to such proceedings. The place of Arbitration shall be New Delhi.*

xxx xxx xxx”

4. Accordingly, issue notice to the plaintiff, by all modes, returnable on the next date.
5. Let reply be filed within a period of four weeks.
6. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.
7. List before the Joint Registrar (Judicial) on the date already fixed, i.e., 28<sup>th</sup> January, 2026.
8. List before the Court on the date already fixed, i.e., 27<sup>th</sup> April, 2026.

**MINI PUSHKARNA, J**

**JANUARY 23, 2026**

ak