

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Miscellaneous Appeal No. 3954/2025

Directorate Of Urban Local Bodies & Anr.

----Appellants

Versus

Yashi Consulting Services Pvt. Ltd.

----Respondent

For Appellant(s)	:	Mr. Yellop Singh, Adv. Mr. Anuj Sharma, Adv. Mr. Anmol Gamot, Adv.
For Respondent(s)	:	Mr. Swadeep Singh Hora, Adv.

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SANGEETA SHARMA

Order

05/02/2026

Admit.

Call for the record.

Issue notice.

Mr. Swadeep Singh Hora accepts the notice on behalf of respondent.

Learned counsel appearing for appellants submits that the learned Commercial Court No. 1, Jaipur Metropolitan-II, vide its order dated 07.05.2025, proceeded to decide the dispute and directed to release the entire payment. Although, there was no such prayer made in the application filed under Section 9 of the Arbitration & Conciliation Act, 1996 (hereinafter referred as the 'Act'). Learned counsel for appellant further submits that the dispute has already been raised under Section 11 of the Act for appointment of Arbitrator, as the settlement conditions could not be satisfied.

Learned counsel for respondent submits that since in the settlement proceedings, the appellant had agreed, there is no question of claiming any dispute between the parties. However, we notice that it is the respondent who moved an application under Section 9 of the Act for seeking interim relief and has also moved an application under Section 11 of the Act. Thus, it cannot be said that there is no dispute between the parties relating to the settlement.

The learned Commercial Court No. 1, Jaipur Metropolitan-II, has prima facie gone beyond the relief as required to be done under Section 9 of the Act.

List this matter after six weeks.

In the meanwhile, the impugned order dated 07.05.2025 passed by the learned Commercial Court No. 1, Jaipur Metropolitan-II, shall remain stayed.

(SANGEETA SHARMA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ