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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
% **Date of Decision: 11<sup>th</sup> July, 2025**  
+ **CM(M) 770/2025 & CM APPL. 24997/2025**

**VIKRAM DOGRA & ANR.** .....Petitioners

Through: Mr. Gaurav Kumar and Mr. Raj Kapoor, Advocates.

versus

**DEVENDER KUMAR & ANR.** .....Respondents

Through: Mr. Aditya Shanda, Mr. Vipin Shrivastava and Mr. Rajendra Vats, Advocates.

**CORAM:**  
**HON'BLE MR. JUSTICE MANOJ JAIN**  
**JUDGMENT (oral)**

1. Petitioners are non-claimants before the learned Arbitral Tribunal.
2. Earlier, the learned Tribunal had framed issue No.1 on 23.12.2024 which reads as under:-

*“i. Whether the Lease Agreement dated 05.10.2020 (Annexure CX-1) is a valid agreement? (OPR)”*

3. However, subsequently, on the basis of the application moved by the non-claimants, the abovesaid issue was modified in the following terms:-

*“i. Whether the Lease Agreement dated 05.10.2020 (Annexure CX-1) is an invalid agreement? (OPR)”*

4. The grievance raised by the petitioners herein is to the effect that since the agreement in question was *void ab initio*, instead of using the word



“invalid”, the learned Sole Arbitral Tribunal should have used the word “*void ab initio*”.

5. This Court is conscious and mindful of the fact that the scope of interference in such type of matters is very restricted and constricted. This Court in *Kelvin Air Conditioning & Ventilation System (P) Ltd. v. Triumph Reality (P) Ltd.*, 2024 SCC OnLine Del 7137 observed that judicial inference in such type of matters has to be minimal and recourse to Article 227 of the Constitution of India has to be under exceptional circumstances when it is shown that such order is absolutely perverse.

6. The abovesaid procedural order does not contain any illegality or perversity and does not suggest any exceptional situation, warranting interference by this Court.

7. Moreover, there cannot be any dispute that in terms of the evidence to be adduced by the respective parties, the learned Tribunal can give appropriate finding with respect to the nature of said agreement.

8. Viewed thus, the present petition is hereby dismissed as it does not disclose any reason to interfere with the impugned order.

9. All the rights and contentions of the petitioners are reserved.

10. Pending application also stands disposed of in aforesaid terms.

**(MANOJ JAIN)**  
**JUDGE**

**JULY 11, 2025/sw/SS**