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

% ***Date of Decision: 24th July, 2025***

+ CM(M) 201/2025
NARAYAN SEWA SAMITI

.....Petitioner

Through: Mr. Siddhant Sharma and Mr. Prafull
Bhardwaj, Advocates.

versus

MILLENNIUM EDUCATION MANAGEMENT PVT. LTD.

.....Respondent

Through: Mr. Dhruv Varma and Mr. Rohit
Kathuria, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM(M) 201/2025 & CM APPL. 44224/2025 (for condonation of delay)

1. The abovesaid application has been filed by respondent whereby he seeks condonation of delay in filing the reply.
2. The learned counsel for the petitioner has also joined the proceedings through *video conferencing*.
3. This Court has gone through the averments made in such reply which rather, indicates that the present petition has become infructuous.
4. The petitioner herein is non-claimant and is aggrieved by order dated 09.09.2024 passed by Arbitral Tribunal whereby his application moved under Section 16 of Arbitration and Conciliation Act, 1996 has been dismissed and, simultaneously, the application filed by the respondent under Section 27 (5) of Arbitration and Conciliation Act for proceeding against the petitioner for



initiation of contempt has been allowed.

5. Fact remains that, as per the facts mentioned in the reply, the learned Sole Arbitrator has already passed final award on 20.03.2025.

6. Such award was challenged by the petitioner herein by filing a petition under Section 34 of Arbitration and Conciliation Act and such petition has also been dismissed on 22.05.2025 on the ground of lack of pecuniary jurisdiction. Admittedly, the petitioner has also been granted an opportunity to approach the Court of competent jurisdiction.

7. It is, however, apprised that, so far the respondent herein has not received any advance intimation about any fresh filing of petition under Section 34 of Arbitration and Conciliation Act.

8. The interim order passed by the Arbitral Tribunal stands merged with the final award and, therefore, there is no compelling reason to keep this petition alive and, therefore, since the award has already been passed and if the petitioner is aggrieved by the order which is impugned herein he can always make reference to such order, as and when, he, further, files any petition under Section 34 of Arbitration and Conciliation Act.

9. The present petition stands disposed of in view of the abovesaid subsequent development.

10. However, it is also clarified that this Court has not made any observation on the merits of the case as such and, therefore, all the rights and contentions of the parties are reserved and the dismissal would have no reflection, either way, with respect to the contempt petition which is still pending adjudication.

11. While condoning the delay in filing the reply, the present petition is also disposed of in aforesaid terms.



2025:DHC:6085



12. The next date i.e. 02.12.2025 is cancelled.

(MANOJ JAIN)
JUDGE

JULY 24, 2025/ss/pb