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

Date of Decision : 13.02.2026

+ O.M.P. (COMM) 73/2025 & I.A. 3217/2025 (Stay)

THE GREAT GETSBY CLUB OF INDIA REGD

.....Petitioner

Through: Mr. Rajat Joneja and Mr. S.M.
Ansari, Advocates.

versus

THERMAL ENGINEERS AND INSULATORS PVT LTD

.....Respondent

Through: Mr. Akhil Mittal, Ms. Riddhi
Jain and Ms. Shayna Das
Pattanayak, Advocates.

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+ O.M.P. (COMM) 84/2025 & I.A. 3989/2025 (Ex.)

MS THERMAL ENGINEERS AND INSULTORS PVT LTD

.....Petitioner

Through: Mr. Akhil Mittal, Ms. Riddhi
Jain and Ms. Shayna Das
Pattanayak, Advocates.

versus

THE GREAT GETSBY CLUB OF INDIARespondent

Through: Mr. Rajat Joneja and Mr. S.M.
Ansari, Advocates.

CORAM:

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

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JUDGEMENT (ORAL)

HARISH VAIDYANATHAN SHANKAR, J.

1. The present Petitions, under Section 34 of the **Arbitration and**



Conciliation Act, 1996¹, have been filed impugning the Arbitral Award dated 13.09.2024, read with Clarification Order dated 10.11.2024² passed by the learned Sole Arbitrator in case titled “M/s Thermal Engineers and Insultaors v. Great Getsby Club of India”.

2. Learned counsel appearing on behalf of the parties, on instructions, submit that since both parties have their respective grievances against the Impugned Award, the said Impugned Award may be set-aside and referred to Arbitration by a learned Sole Arbitrator for determination afresh.

3. In view of the submissions made by the learned counsel appearing on behalf of both the parties, the Arbitral Award dated 13.09.2024 *i.e.*, the Impugned Award is hereby set-aside.

4. This Court is inclined to appoint an Arbitrator to *de novo* adjudicate upon the disputes *inter se* the parties.

5. Material on record indicates that the valuation of the present dispute is stated to be approximately Rs. 2,98,51,288/-.

6. Accordingly, this Court requests **Ms. Nisha Bhambhani, Advocate**, to enter into the reference as the learned sole Arbitrator to adjudicate the disputes *inter se* the parties.

7. The learned sole Arbitrator shall be entitled to fees in accordance with the Fourth Schedule of the Act or as may otherwise be agreed to between the parties and the learned sole Arbitrator.

8. The learned Arbitrator is also requested to file the requisite disclosure under Section 12(2) of the Act, within a week of entering the reference.

9. The Registry is directed to send a receipt of this order to the

¹Act

²Arbitral Award



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learned arbitrator, through all permissible modes, including through e-mail.

10. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

11. Needless to say, nothing in this order shall be construed as an expression of opinion of this Court on the merits of the controversy between the parties.

12. Accordingly, the present Petitions, along with pending Application(s), if any, stand disposed of in the aforesaid terms.

13. A photocopy of the Order passed today be kept in the connected matter.

HARISH VAIDYANATHAN SHANKAR, J.
FEBRUARY 13, 2026/tk/va/dj