



2026-DHC:4435



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

Date of Decision: 18.05.2026

+ O.M.P.(I) (COMM.) 191/2026 & I.A. 12358/2026 (Ex.)

SHARAD QUENCH PRIVATE LIMITEDPetitioner
Through: Ms. Smiti Verma and Mr. Parth
Sarathi, Advocates.

versus

INDIAN RAILWAY CATERING AND TOURISM
CORPORATION LIMITEDRespondent
Through: Ms. Rashmi Malhotra and Mr.
Arnab Chanda, Advocates.

**CORAM:
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

% **JUDGEMENT (ORAL)**

HARISH VAIDYANATHAN SHANKAR, J.

1. The present Petition has been filed under **Section 9 of the Arbitration and Conciliation Act, 1996** ["Act"], seeking the following reliefs:-

- i. Stay the effect and operation of the demand notices dated 20.02.2026 and 24.03.2026 issued by the Respondent pending adjudication of the disputes between the Parties;
- ii. Restrain the Respondent from taking any coercive steps towards recovering any amount towards "Input Tax Credit" pending adjudication of the disputes between the Parties; and
- iii. Any such further orders that this Hon'ble Court may deem fit and proper."

2. Learned counsel appearing on behalf of the Respondent, on



2026-DHC:4435



instructions, submits that they have no objection in the event that the disputes *inter se* the parties may be referred to Arbitration by a learned Sole Arbitrator.

3. She further submits that Indian Railway Catering and Tourism Corporation Limited has a panel of Arbitrators and learned counsel appearing on behalf of the Petitioner would submit that **Mr. Harish Chandra, Ex-Director Finance** from the Panel of Arbitrators may be appointed as the learned Sole Arbitrator for the purpose of adjudicating the disputes as between the parties. Learned counsel appearing for the Respondent has no objection to the suggested name.

4. Since the parties are *ad idem* that instead of adjudication of the present Petition on merits, this Court finds no impediment in referring the disputes *inter se* the parties for adjudication by the learned Sole Arbitrator.

5. Accordingly, the present Petition shall stand treated as an Application under Section 17 of the Act, and the learned Sole Arbitrator is requested to consider the same as expeditiously as possible upon entering into reference.

6. Further, the statutory requirement of filing of a separate Application under Section 11 of the Act, for appointment of an Arbitrator, is dispensed with.

7. Accordingly, this Court hereby appoints **Mr. Harish Chandra, Ex-Director Finance (Email id- chandra.harish1951@gmail.com) (Mobile No. 9871371540)**, as the Sole Arbitrator and requests him/her to enter upon the reference and adjudicate the disputes *inter se* the parties.

8. It is clarified that the interim Order dated 04.05.2026 shall



2026:DHC:4435



subsist till such time as the learned Sole Arbitrator takes up the Section 17 Application for consideration.

9. The learned Sole Arbitrator may proceed with the arbitration proceedings, subject to furnishing to the parties the requisite disclosures as required under Section 12(2) of the Act within one (01) week of entering the reference.

10. The Registry is directed to forward a copy of this Order to the learned Sole Arbitrator through all permissible modes, including electronic mode.

11. The learned Sole Arbitrator shall be entitled to a fee in accordance with the Schedule IV of the Act or as may be agreed between the parties and the learned Arbitrator.

12. All rights and contentions of the parties are kept open, to be decided by the learned Sole Arbitrator on merits, in accordance with law.

13. Needless to state, nothing in this Order shall be construed as an expression of opinion of this Court on the merits of the controversy.

14. Accordingly, the present Petition, along with pending Application(s), if any, stands disposed of in the aforesaid terms.

HARISH VAIDYANATHAN SHANKAR, J.
MAY 18, 2026/nd/va