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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010401822026**+ **O.M.P.(I) (COMM.) 370/2026****SK ENMOVE GABRIEL INDIA PRIVATE LIMITED**

.....Petitioner

Through: **Mr. Nishant Menon, Ms. Jhum
Jhum Sarkar and Ms.
Radhalakshmi R, Advs.**

versus

UNITED PETROCHEM PRIVATE LIMITED RespondentThrough: **Mr. Apoorv Kurup, Sr. Adv.
with Mr. G.S. Oberoi, Mr.
Ankur Sharma, Mohd. Yasin,
Mr. Sami Ahmed, Advs. along
with Mr. Bhuwan Chand, AR.****CORAM:****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****ORDER(ORAL)**% **13.10.2026**

1. The present petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996¹ seeking the following reliefs:

“(a) direct the Respondent to permit and facilitate completion of the identified pending packing and repacking operations under the existing job work orders issued by the Petitioner, and to provide a firm, time-bound delivery schedule for the same within 10 days, allowing one authorized representative of the Petitioner to remain present at the site to verify and confirm the inventory transfer;

(b) direct the Respondent to deliver to the Petitioner its inventory, raw materials, packaging materials and finished goods lying at the Respondent's premises in the same condition as it was given to the Respondent in the alternative to prayer (a) above;

¹ “Act” hereinafter



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(c) appoint the Court Receiver/Court Commissioner to oversee, supervise, and prepare an inventory report of the smooth handover and removal of the Petitioner's goods (with police assistance, if required) the Petitioner's inventory, raw materials, packaging materials, and finished goods described in para hereinabove delivered by the Petitioner to the Respondent pursuant to the Agreement, from the premises of the Respondent at 44/1A, Village -Sikri Ballabgarh, Faridabad- 121004, Haryana and/or other places of business of the Respondent.

(d) pass an ex-parte ad interim injunction restraining the Respondent, its directors, officers, employees, agents, representatives and/or any person acting on its behalf from using, selling, disposing off or creating any third party rights on its inventory, raw materials, packaging materials and finished goods lying at the Respondent's premises or exercising any unlawful lien or withholding mechanisms over the Petitioner's inventory, raw materials, packaging materials, and finished goods, subject to the final adjudication of the financial disputes between the parties.;

(e) pass such other and further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

2. Vide order dated 25.08.2026, this Court granted the interim relief in favour of the Petitioner. Today, both parties are *ad idem* that the matter may be referred to arbitration and present petition filed under Section 9 shall stand treated as an application under Section 17 of the Act and the same shall be considered and decided by the learned Sole Arbitrator upon entering into the reference.

3. Accordingly, both parties have waived their formal and contractual obligations for the appointment of Arbitrator.

4. Accordingly, Ms. Shiva Lakshmi, Advocate (Mob. No.9818054806) is appointed as a learned Sole Arbitrator to adjudicate the disputes arisen between the parties. The learned Sole Arbitrator shall enter upon the reference within three weeks from



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today.

5. The learned Sole Arbitrator will proceed to the arbitration proceedings subject to furnishing requisite disclosures as required under Section 12(2) of the Act within three weeks of entering reference.

6. The arbitration shall be carried under the rules and aegis of Delhi International Arbitration Centre (“DIAC”). The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

7. It shall be open to the parties to raise preliminary objection, including objection as to arbitrability and jurisdiction, before the learned Sole Arbitrator who shall decide the same in accordance with law.

8. It is clarified that the observations made herein are only for the purpose of deciding the present petition. The learned Sole Arbitrator shall adjudicate the disputes independently and on their own merits, uninfluenced by any observations contained in the present order.

9. Interim relief granted *vide* order dated 25.08.2026 shall Continue until the sole arbitrator considers the matter and passes appropriate orders.

10. The learned sole arbitrator is free to modify, vacate, or continue the interim relief granted by this Court.



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11. Learned Counsel appearing for the Petitioner submits that he shall be granted liberty to amend the Section 9 petition, if any.

12. Leave and liberty as prayed, is granted.

13. The Registry is directed to send a receipt of this order to Ms. Shiva Lakshmi, learned Arbitrator through all permissible modes including email.

14. Accordingly, the present petition is disposed of in the above terms. Pending application(s), if any, also stand disposed of.

OM PRAKASH SHUKLA, J

OCTOBER 13, 2026/gunn