



2026:DHC:7612



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**# **CNR No. DLHC010149602026**+ **O.M.P.(I) (COMM.) 153/2026 & I.A. 9972/2026****L AND T FINANCE LTD**

.....Petitioner

Through: **Mr. Nitin Dahiya, Mr.
Muzammil, Adv.**

versus

ISHA TREHAN & ORS.

.....Respondents

Through:

CORAM:**HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****ORDER (ORAL)**

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07.09.2026

1. It is made out from the record that the Petitioner obtained *ad interim* protection *vide* order dated 13.04.2026.

2. However, despite repeated opportunities, process fee has not been deposited and notice could not be issued to the Respondents till now.

3. Additionally, there is no material indicating commencement of arbitral proceedings within the period contemplated by Section 9(2) of the Arbitration and Conciliation Act, 1996¹, nor any order extending such period.

4. The Petitioner cannot be endlessly permitted to continue to enjoy an *ex parte* interim order while failing to prosecute the



2026:DHC:7612



proceedings.

5. Considering that the Petitioner has been enjoying interim protection pursuant to the order dated 13.04.2026 and in order to afford one final opportunity to the Petitioner to pursue the remedy of arbitration, this Court deems it appropriate, in exercise of power under Section 9(2) of the Act to grant a further period of 45 days from today for commencement of the arbitral proceedings in accordance with law.

6. Accordingly, the interim protection granted *vide* order dated 13.04.2026 shall continue for a period of 45 days from today, subject to the Petitioner taking appropriate steps for commencement of the arbitral proceedings within the said period.

7. It is made clear that if in the event, arbitral proceedings are not commenced within 45 days, the interim protection granted by this Court shall stand vacated.

8. It is, however, clarified that since the Respondent has not yet been served or heard, the continuation of the interim protection shall be without prejudice to the rights and contentions of the Respondent.

9. Upon service, the Respondent shall be at liberty to seek vacation, modification or variation of the interim arrangement granted by this court vide order dated 13.04.2026 before the learned Arbitral Tribunal under Section 17 of the Arbitration and Conciliation Act, 1996, and the Tribunal shall consider such application as

Signature Not Verified ¹ "Act" hereinafter

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Page 2 of 3



2026:DHC:7612



expeditiously as possible being uninfluenced by the interim order passed by this Court.

10. With the aforesaid direction, the petition stands disposed of.

11. All the rights and contentions of the parties are left open.

OM PRAKASH SHUKLA, J

SEPTEMBER 7, 2026/pa

Signature Not Verified

Signed By: ANUBHAM M.P.(I) (COMM.) 153/2026
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Signing Date: 07.09.2026
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Page 3 of 3