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

\# **CNR No. DLHC010282222026**

\+ O.M.P. (T) (COMM.) 65/2026

UNION OF INDIA .....Petitioner

Through: Ms. Arunima Dwivedi, CGSC.

versus

M/S FOOD KING IMPEX PVT LTD .....Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% 27.10.2026

1. The present petition has been filed seeking appointment/substitution of a substitute Arbitrator under Section 14(1) read with Section 15(2) of the Arbitration and Conciliation Act, 1996[1].

2. A perusal of the petition indicates that the value of the claims is approximately Rs.24 lacs, which appears to be below the pecuniary jurisdiction of this Court and raises a question on maintainability of the present petition.

3. In ***Swadesh Kumar Aggarwal v. Dinesh Kumar Aggarwal***[2], the Hon'ble Supreme Court considered a distinction between the proceeding under Section 11, 14 and 15 of the Act and observed that where there is a dispute regarding termination of the mandate under

[1] "Act" hereinafter

[2] CIVIL APPEAL NOS. 2935-2938 OF 2022

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Section 14(1)(a), the same is required to be raised before the "Court" as defined under Section 2(1)(e) of the Act. It was followed by a Coordinate Bench of this Court as well in ***NHAI v. Third Rock Consultants***[3], wherein the dispute in issue was approximately Rs.32 lacs and the Court dismissed the petition due to lack of pecuniary jurisdiction.

4. At this stage, learned Counsel for the Petitioner seeks leave to withdraw the present petition with liberty to file a appropriate petition before the appropriate forum.

5. Leave and liberty, as sought, is granted.

6. The petition is dismissed as withdrawn.

OM PRAKASH SHUKLA, J

OCTOBER 27, 2026/pa

[3] O.M.P. (T) (COMM.) 121/2022

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