
(2021) 08 DEL CK 0151

In the Delhi High Court

Case No : Arbitration Petition No. 737 Of 2021

Asian Hotels (North) Ltd

APPELLANT

Vs

Kumar Gallery Pvt. Ltd

RESPONDENT

Date of Decision : 27-08-2021

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 11(6)

Citation : (2021) 08 DEL CK 0151

Hon'ble Judges : Suresh Kumar Kait, J

Bench : Single Bench

Advocate : Sidhant Kumar, Manyaa Chandok, Naveen Chawla

Final Decision : Disposed Of

Judgement

Suresh Kumar Kait, J

1. Present petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator for

adjudication of the disputes between the petitioner and respondent.

2. The facts of the case are that the petitioner is a public limited company listed on the National Stock Exchange and is the owner of a hotel located in

a building complex in the name and style of Hyatt Regency, Bhikaji Cama Place, New Delhi.

3. Pertinently, the dispute inter se parties arise out of the License Agreement dated 18.01.1988 entered between the parties, by virtue of which

respondent was permitted to use Shop No. U-68, located at the Shopping Arcade, Hotel Grand Hyatt, Bhikaji Cama Place, New Delhi. The said

License Agreement was time to time extended through Renewal Agreements.

4. However, petitioner by communication dated 29.05.2020 revoked the license

agreement and called upon the respondent to remove all its

goods/belongings from the premises by 01.06.2020. On the contrary, respondent by communication dated 29.06.2020, disputed the aforesaid

revocation and refused to remove all his goods/belongings from the subject premises.

5. Today during the course of hearing, learned counsel for respondent submits that respondent has accepted the termination order dated 29.05.2020

and is willing and ready to hand over the possession of the premises in question to the petitioner.

6. The aforesaid submission of respondent is accepted by counsel for petitioner.

7. Learned counsel for respondent further submits that the respondent shall remove goods/articles lying in the shop in question and shall hand over

peaceful possession of the shop in question to the petitioner on 02.09.2021. It is accepted by learned counsel for the petitioner.

8. In view of the aforesaid, nothing remains in the present petition to be considered by this Court.

9. The petition is, accordingly, disposed of.