



2026:DHC:9437



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

CNR No. DLHC010320822026

+ **ARB.P. 1207/2026 & I.A. 19147/2026**

RADISSON HOTELS (SOUTH ASIA) PRIVATE LIMITED

.....Petitioner

Through: Mr. Rajshekhar Rao, Sr Adv.
with Mr. Milanka Chaudhury,
Ms. Swet Shikha, Ms. Amishi
and Ms. Sainaz Parveen, Advs.

versus

RAHUL AND PRANAV HOSPITALITIES LLP

.....Respondent

Through: Mr. Akhil Sibal, Senior
Advocate with Ms. Anuradha
Dutt, Mr. Lynn Pereira, Mr.
Haaris Fazili, Mr. Raghav Dutt,
Ms. Prachi Pandey, Ms. Vidhi
Uppal, Mr. Naman Grover, Ms.
Jahnvi Sindhu & Mr. Adityaraj
Patodia, Advs.

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CNR No. DLHC010958452025

+ **O.M.P.(I) (COMM.) 493/2025 & I.A. 23650/2026**

RADISSON HOTELS (SOUTH ASIA) PRIVATE LIMITED

FORMERLY KNOWN AS CARLSON HOTELS SOUTH

ASIA PRIVATE LIMITED)

.....Petitioner

Through: Mr. Rajshekhar Rao, Sr Adv.
with Mr. Milanka Chaudhury,
Ms. Swet Shikha, Ms. Amishi
and Ms. Sainaz Parveen, Advs.

versus

RAHUL AND PRANAV HOSPITALITIES LLP

.....Respondent

Through: Mr. Akhil Sibal, Senior
Advocate with Ms. Anuradha
Dutt, Mr. Lynn Pereira, Mr.
Haaris Fazili, Mr. Raghav Dutt,

Signature Not Verified

Signed By: PRAAGYA ARB.P. 1207/2026 & O.M.P.(I) (COMM.) 493/2025
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Signing Date: 24.10.2026
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Ms. Prachi Pandey, Ms. Vidhi Uppal, Mr. Naman Grover, Ms. Jahnavi Sindhu & Mr. Adityaraj Patodia, Advs.

CORAM:

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER(ORAL)

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15.10.2026

1. Both the parties have arrived at a consensus that the present petition can be treated as an application under Section 17 of the Arbitration and Conciliation Act, 1996 before the learned Arbitral Tribunal.

2. In view thereto, and consensus arrived at between the parties, the present petition is disposed of in the following points:

i. The notice invoking Arbitration dated 03.05.2026, issued by Radisson, shall be treated as an invocation of arbitration for the purposes of commencement of arbitral proceedings under the Rules of Arbitration of the Indian Council of Arbitration ("ICA Rules"), without prejudice to the rights and contentions of the parties.

ii. The nominee arbitrator appointed by Radisson, Hon'ble Mr. Justice Badar Durrez Ahmed (Retd.), who is on the Panel of Arbitrators maintained by the Indian Council of Arbitration ("ICA"), shall be treated as Radisson's nominee arbitrator for the purposes of constitution of the Arbitral Tribunal under the ICA Rules.



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iii. Rahul And Pranav Hospitalities LLP (“RPHL” hereinafter) shall nominate its nominee arbitrator from the ICA Panel of Arbitrators, within a period of thirty (30) days from the date of this Order.

iv. The parties have mutually agreed to dispense with the requirement contained in the arbitration clause that “*The arbitration panel shall be comprised of three (3) arbitrators who shall have experience of the hospitality industry.*” Accordingly, the requirement that the arbitrators possess experience in the hospitality industry shall stand waived by mutual consent of the parties for the purposes of the present arbitration.

v. Upon nomination of the respective arbitrators, the Presiding Arbitrator shall be appointed by the ICA in accordance with the ICA Rules, within a period of thirty (30) days from the date of nomination of the second arbitrator.

vi. The parties agree that the arbitration proceedings shall be conducted and administered in accordance with the ICA Rules.

vii. The consensus between the parties to submit to arbitration under the ICA Rules, including the constitution of the Arbitral Tribunal in the manner directed herein, shall be strictly without prejudice to all rights, objections, claims, defences and contentions available to either party in law. In particular, all objections concerning the validity, existence, enforceability and scope of the arbitration agreement, including the jurisdiction of the



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Arbitral Tribunal, are expressly kept open.

viii. The pending petition filed under Section 9 of the Arbitration and Conciliation Act, 1996, shall stand converted into and be treated as an application under Section 17 of the said Act. The said application shall be placed before the Arbitral Tribunal, upon its constitution, for consideration and adjudication in accordance with law.

ix. All rights and contentions of the parties in relation to the reliefs sought in the said application are expressly kept open.

x. The statement made by RPHL, as recorded in the Order dated 01.12.2025 passed in the present petition, shall continue to remain operative until the Arbitral Tribunal considers and passes appropriate orders on the application under Section 17 of the Arbitration and Conciliation Act, 1996.

xi. The Arbitral Tribunal, upon its constitution, shall decide the Section 17 application within a period of six (6) weeks from the date of its constitution.

3. In view of the aforesaid directions, the present proceedings shall stand disposed of, leaving all rights and contentions of the parties open, including those relating to the jurisdiction of the Arbitral Tribunal and the merits of the disputes.

4. It is clarified that this Court has not expressed any opinion on

Signature Not Verified

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the merits of the disputes between the parties or on the existence, validity or scope of the arbitration agreement.

5. All pending applications, if any, shall stand disposed of accordingly.

OM PRAKASH SHUKLA, J

OCTOBER 15, 2026/gunn