# Asian Hotels (North) Limited vs Alok Kumar Lodha on 12 October, 2020

**Author: Rajiv Sahai Endlaw** 

## Bench: Rajiv Sahai Endlaw, Asha Menon

	to 79	IEL DELLIT	
*	IN THE HIGH COURT OF DELHI AT N		a+a,,)
+	RFA(OS)(COMM) 12/2020 C.M. No. ASIAN HOTELS (NORTH) LIMITED	10942/2020 (101	Appellant
	ASIAN HOTELS (NORTH) LIMITED	versus	Appettant
	ALOK KUMAR LODHA	VCISUS	Respondent
		AND	
+	RFA(OS)(COMM) 13/2020 C.M. No.	16950/2020 (for	ex parte ad interim
	injunction) C.M. No. 20009/2020		8 of Arbitration and
	Conciliation Act) of the respon	ndent	
	ALOK KUMAR LODHA		Appellant
	ACTAN HOTELS (NORTH) LIMITED	versus	Б
	ASIAN HOTELS (NORTH) LIMITED	AND	Respondent
+	RFA(OS)(COMM) 14/2020 C.M. No.	16964/2020 (for	ex parte ad interim
	injunction)		
	CHARU LODHA		Appellant
		Versus	
	ASIAN HOTELS (NORTH) LTD.	4115	Respondent
	DEA (OC) (COMM) 15 (2020 C M No	AND	
+	RFA(OS)(COMM) 15/2020 C.M. No. injunction) C.M. No. 20005/2020		
	Conciliation Act)	(under Section	8 OF AFDICIACION and
	SITAL DASS JEWELLERS		Appellant
	STIME PAGE SEMELLERIS	versus	TITT Apportune
	ASIAN HOTELS (NORTH) LIMITED		Respondent
		AND	·
+	RFA(OS)(COMM) 16/2020 C.M. No.	16979/2020 (for	interim relief) C.M.
	No. 20012/2020 (under Section 8	3 of Arbitration	and Conciliation Act)
	SATISH KHOSLA & ANR.		Appellants
		versus	
	ASIAN HOTELS (NORTH) LIMITED		Respondent
	DEL (00) (00) 12 (0000 0 11 11	AND	
+	RFA(OS)(COMM) 17/2020 C.M. No.		
	injunction) C.M. No. 20014/2020	under Section	8 of Arbitration and
	Conciliation Act) SWEETY SURI		Appellant
	SWEETT SURI	Versus	Appettant
	ASIAN HOTELS (NORTH) LIMITED	Versus	Respondent
			i i i i i i i i i i i i i i i i i i i
		AND	

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RFAs(OS)(COMM) No.12 to 77 of 2020

+	RFA(0S)(COMM) 18/2020 C.M. No. 16988/2020 (fo			
	No. 20007/2020 (under Section 8 of Arbitration DHARAMVIR KHOSLA	and Conciliation Act) Appellant		
	Versus			
	ASIAN HOTELS (NORTH) LIMITED	Respondent		
	AND			
+	RFA(OS)(COMM) 19/2020 C.M. No. 16993/2020 (for	stay)		
	ASIAN HOTELS (NORTH) LIMITED	Appellant		
	versus	• •		
	SATISH KHOSLA & ANR.	Respondents		
	AND	·		
+	RFA(OS)(COMM) 20/2020 C.M. No. 17000/2020 (for	stav)		
	ASIAN HOTELS (NORTH) LIMITED	Appellant		
	versus	Titt Appetune		
	SITAL DASS JEWLELLERS	Respondent		
	AND	Nespondent		
	RFA(OS)(COMM) 21/2020 C.M. No. 17726/2020 (for	ctov) ( CM ADDI		
+				
	17730/2020 (under Section 8 of Arbitration and			
	ASIAN HOTELS (NORTH) LTD	Appellant		
	versus			
	CHARU LODHA	Respondent		
	AND			
+	RFA(OS)(COMM) 22/2020 C.M. No. 17732/2020 (for	stay) & CM APPL.		
	17737/2020 (under Section 8 of Arbitration and	Conciliation Act)		
	ASIAN HOTELS (NORTH) LTD	Appellant		
	versus			
	TEHMINA SEN	Respondent		
	AND			
+	RFA(OS)(COMM) 23/2020 C.M. No. 17744/2020 (for	ex-parte ad interim		
	injunction)	·		
	H.S. NAG AND ORS.	Appellants		
	versus	PP		
	ASIAN HOTELS (NORTH) LTD.	Respondent		
	AND	TTTT Respondent		
+	RFA(OS)(COMM) 24/2020 C.M. No. 17750/2020 (for	stav) & CM APPI		
•	17753/2020 (under Section 8 of Arbitration and			
	ASIAN HOTELS (NORTH) LTD	Appellant		
		Appettant		
	Versus	Dognandant		
	SULTAN AHMED	Respondent		
	AND			
	OS)(COMM) No.12 to 77 of 2020	Page 2 of 12		
+	RFA(OS)(COMM) 25/2020 C.M. No. 17756/2020 (fo	r ex-parte ad interim		
	injunction)			
	TEHMINA SEN	Appellant		
	Versus			
	ASIAN HOTELS (NORTH) LTD	Respondent		
	AND			
+	RFA(OS)(COMM) 26/2020 C.M. No. 17763/2020 (for	ex-parte ad interim		
	injunction)			
	RAM KRISHAN ASSOCIATES PVT. LTD.	Appellant		

Versus

	V	ersus	
	ASIAN HOTELS (NORTH) LTD.	AND	Respondent
+	RFA(OS)(COMM) 27/2020 C.M. No. injunction)		ex-parte ad interim
	SITAL DASS SONS		Appellant
	VASIAN HOTELS (NORTH) LTD.	ersus	Respondent
		AND	Kespondent
+	RFA(OS)(COMM) 28/2020 C.M. No. injunction)	17777/2020 (for	ex-parte ad interim
	SHANTI VIJAY JEWELS		Appellant
	V ASIAN HOTELS (NORTH) LIMITED	ersus	Respondent
		AND	Respondent
+	RFA(OS)(COMM) 29/2020 C.M. No. 17786/2020 (under Section 8 of ASIAN HOTELS (NORTH) LTD		
		ersus	
	SITAL DASS SONS		Respondent
+	A RFA(OS)(COMM) 30/2020 C.M. No.	ND 17803/2020 (for	ex-parte ad interim
•	injunction) SULTAN AHMED		Appellant
		ersus	
	ASIAN HOTELS (NORTH) LIMITED	AND	Respondent
+	RFA(OS)(COMM) 31/2020 C.M. No. ASIAN HOTELS NORTH LIMITED		stay) Appellant
		ersus	Dannen dan t
	SHANTI VIJAY JEWELS	AND	Respondent
RFAs((	OS)(COMM) No.12 to 77 of 2020		Page 3 of 12
+	RFA(0S)(COMM) 32/2020 & CM AP		
	Arbitration and Conciliation A ASIAN HOTELS (NORTH) LTD		Appellant
	ASIAN HOTELS (NORTH) ETD	versus	Аррессанс
	SWEETY SURI		Respondent
		AND	
+	RFA(OS)(COMM) 33/2020 & CM APP Arbitration and Conciliation A		
	ASIAN HOTELS (NORTH) LTD	Versus	Appellant
	DHARAMVIR KHOSLA	versus AND	Respondent
+	RFA(OS)(COMM) 34/2020 & CM APP Arbitration and Conciliation A	19321/2020 (u	nder Section 8 of
	ASIAN HOTELS (NORTH) LTD		Appellant
	CDASTO	versus	Daniel III
	CRAFTO	AND	Respondent
+	RFA(OS)(COMM) 35/2020	,	

Asian Hotels (North) Limited vs Alok Kumar Lodha on 12 October, 2020

SHREE KHANNA GEMS ..... Appellant versus ASIAN HOTELS (NORTH) LIMITED .... Respondent AND RFA(OS)(COMM) 36/2020 V.P. SACHDEV ..... Appellant Versus ASIAN HOTELS (NORTH) LIMITED ..... Respondent AND RFA(OS)(COMM) 37/2020 **ABHUSHAN** .... Appellant Versus ..... Respondent ASIAN HOTELS (NORTH) LIMITED AND RFA(OS)(COMM) 38/2020 & CM No.20441/2020 (under Section 8 of Arbitration and Conciliation Act, 1996) ASIAN HOTELS (NORTH) LTD ..... Appellant Versus **ABHUSHAN** ..... Respondent AND

RFA(OS)(COMM) 39/2020 & CM No.20444/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD ..... Appellant Versus BEENA JAIN ..... Respondent AND RFA(OS)(COMM) 40/2020 & CM No.20448/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD .... Appellant Versus .... Respondent SHREE KHANNA GEMS AND RFA(OS)(COMM) 41/2020 & CM No.20513/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS(NORTH)LTD ..... Appellant Versus REGENCY JEWELLERS .... Respondent AND RFA(OS)(COMM) 42/2020 & CM No.20739/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD ..... Appellant Versus V.P. SACHDEV ..... Respondent AND RFA(OS)(COMM) 43/2020 AJAY KUMAR RASTOGI .... Appellant Versus ASIAN HOTELS (NORTH) LIMITED ..... Respondent

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AND

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+	RFA(0S)(COMM) 44/2020		
	J H JEWELLERS		Appellant
		Versus	
	ASIAN HOTELS (NORTH) LIMITED		Respondent
		AND	
+	RFA(OS)(COMM) 45/2020		
	BEENA JAIN		Appellant
	522101 571211	Versus	ттт простане
	ASIAN HOTELS (NORTH) LIMITED	VCISUS	Respondent
	ASIAN HOTELS (NORTH) LIMITED	AND	Respondent
		AND	
RFAs(0	S)(COMM) No.12 to 77 of 2020		Page 5 of 12
+	RFA(OS)(COMM) 46/2020		
	RAJESH JAIN		Appellant
		Versus	
	ASIAN HOTELS (NORTH) LIMITED		Respondent
	NOTAL HOTELS (NOTTH) LITTLE	AND	Respondent
	RFA(OS)(COMM) 47/2020	AND	
+			A
	MEENA RASTOGI		Appellant
		Versus	
	ASIAN HOTELS (NORTH) LIMITED		Respondent
		AND	
+	RFA(OS)(COMM) 48/2020		
	KASHMIR CARPET INDUSTRIES EMP	ORIUM	Appellant
		Versus	
	ASIAN HOTELS (NORTH) LIMITED		Respondent
	NOTAL HOTELS (NOTTH) LITTLE	AND	Respondent
	DEA (OC) (COMM) 40 (2020	AND	
+	RFA(0S)(COMM) 49/2020		A
	KASHMIR CARPET PALACE		Appellant
		Versus	
	ASIAN HOTELS (NORTH) LIMITED		Respondent
		AND	
+	RFA(OS)(COMM) 50/2020		
	REGENCY JEWELLERS		Appellant
		Versus	
	ASIAN HOTELS (NORTH) LIMITED		Respondent
	7.017.11 7.01223 (1101111) 21.111123	AND	Titt Respondent
+	RFA(OS)(COMM) 51/2020 & CM No		(under Section 8 of
т			(under Section 6 of
	Arbitration and Conciliation	ACT)	
	ASIAN HOTELS (NORTH) LTD		Appellant
		Versus	
	J.H. JEWELLERS		Respondent
		AND	
+	RFA(OS)(COMM) 52/2020 & CM No	.22133/2020	(under Section 8 of
	Arbitration and Conciliation		
	ASIAN HOTELS (NORTH) LTD	,	Appellant
		Versus	ppocconc
	AJAY KUMAR RASTOGI	VC13U3	Respondent
	ANT KOUME ENDINGT		nespoliuelit

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RFAs(OS)(COMM) No.12 to 77 of 2020 Page 6 of 12			
+	RFA(OS)(COMM) 53/2020 NATIONAL COTTAGE EMPORIUM		Appellant
	NATIONAL COTTAGE EMPORTOM	Versus	Appettant
	ASIAN HOTELS (NORTH) LIMITED	AND	Respondent
+	RFA(0S)(COMM) 54/2020 & CM No		(under Section 8 of
	Arbitration and Conciliation ASIAN HOTELS (NORTH) LTD		Appellant
	MAHARANI OF INDIA	Versus	Respondent
		AND	·
+	RFA(OS)(COMM) 55/2020		
	SHAW ART PALACE	Voncus	Appellant
	ASIAN HOTELS (NORTH) LIMITED	Versus	Respondent
	ASIAN HOTELS (NONTH) LIMITED	AND	Nespondent
+	RFA(OS)(COMM) 56/2020 & CM No Arbitration and Conciliation	.22149/2020	(under Section 8 of
	ASIAN HOTELS (NORTH) LTD	,	Appellant
		Versus	
	SYED MUJTABA SHAH		Respondent
	DEA/OC)/COMM) E7/2020 C CM No	AND	/dam Caatian O af
+	RFA(OS)(COMM) 57/2020 & CM No Arbitration and Conciliation		(under Section 8 of
	ASIAN HOTELS (NORTH) LTD	ACC	Appellant
	(,	Versus	
	RAJESH JAIN		Respondent
		AND	
+	RFA(OS)(COMM) 58/2020 & CM No		(under Section 8 of
	Arbitration and Conciliation ASIAN HOTELS (NORTH) LTD	ACT)	Appellant
	ASIAN NOTEES (NONTH) ETD	Versus	ттт пррессиис
	B L KAPOOR & ANR.		Respondents
		AND	
+	RFA(OS)(COMM) 59/2020 & CM No		(under Section 8 of
	Arbitration and Conciliation	Act)	Annallant
	ASIAN HOTELS (NORTH) LTD	Versus	Appellant
	MEENA RASTOGI	versus	Respondent
		AND	
DEA-(OC)(COMM) No. 12 to 77 of 2022			
RFAs(OS)(COMM) No.12 to 77 of 2020 Page 7 of 12 + RFA(OS)(COMM) 60/2020			
•	ARUN KUMAR JAIN		Appellant
	Versus		11 -
	ASIAN HOTELS(NORTH) LTD.		Respondent
	AND		

	Asian Hotels (North) Limited vs Ald	ok Kulliai Loulia ol	1 12 October, 2020
+	RFA(0S)(COMM) 61/2020		Annallanta
	FAROOQ AHMED & ANR.  Versus		Appellants
	ASIAN HOTELS NORTH LIMITED  AND		Respondent
+	RFA(OS)(COMM) 62/2020		
	JAIPUR JEWEL PALACE & ANR.  Versus		Appellants
	ASIAN HOTELS (NORTH) LTD  AND		Respondent
+	RFA(OS)(COMM) 63/2020		
	CRAFTO		Appellant
	Versus		Daanandant
	ASIAN HOTELS (NORTH) LTD. AND		Respondent
+	RFA(OS)(COMM) 64/2020		Annolloud
	SUGEET BALA AHUJA Versus		Appellant
	ASIAN HOTELS (NORTH) LTD.		Respondent
	AND		•
+	RFA(OS)(COMM) 65/2020		
	B.L KAPOOR & ANR.		Appellants
	Versus ASIAN HOTELS NORTH LIMITED		Respondent
	AND		Respondent
+	RFA(OS)(COMM) 66/2020		
	SYED MUJTABA SHAH		Appellant
	Versus ASIAN HOTELS NORTH LIMITED		Docnardon+
	ASIAN HOTELS NORTH LIMITED		Respondent
+	RFA(OS)(COMM) 67/2020		
	MAHARANI OF INDIA		Appellant
	Versus		
	ASIAN HOTELS NORTH LIMITED		Respondent
		AND	
RFAs(0	5)(COMM) No.12 to 77 of 2020		Page 8 of 12
+	RFA(OS)(COMM) 68/2020 & CM No	.22596/2020	•
	Arbitration and Conciliation $\boldsymbol{A}$	•	
	ASIAN HOTELS (NORTH) LTD		Appellant
	KASHMIR CARPET INDUSTRIES EMPC	Versus ORIUM	Respondent
+	RFA(OS)(COMM) 69/2020 & CM No.	AND	(under Section 8 of
•	Arbitration and Conciliation A		(ander December 0 01
	ASIAN HOTELS (NORTH) LTD		Appellant
		Versus	_
	SHAW ART PALACE		Respondent
		AND	
+	RFA(OS)(COMM) 70/2020 & CM No.		(under Section 8 of

Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD ..... Appellant Versus ARUN KUMAR JAIN ..... Respondent AND RFA(OS)(COMM) 71/2020 & CM No.22605/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD ..... Appellant Versus RAM KRISHAN ASSOCIATES PVT LTD ..... Respondent AND RFA(OS)(COMM) 72/2020 & CM No.22608/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD .... Appellant Versus NATIONAL COTTAGE EMPORIUM ..... Respondent AND RFA(OS)(COMM) 73/2020 & CM No.22611/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD ..... Appellant Versus ..... Respondents FAROOQ AHMED & ANR. AND RFAs(OS)(COMM) No.12 to 77 of 2020 Page 9 of 12 RFA(OS)(COMM) 74/2020 & CM No.22614/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD ..... Appellant Versus H. S. NAG & ORS. ..... Respondents AND RFA(OS)(COMM) 75/2020 & CM No.22617/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD ..... Appellant Versus KASHMIR CARPET PALACE ..... Respondent AND RFA(OS)(COMM) 76/2020, CM Nos.22808/2020 (for stay) & 22811/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD ..... Appellant Versus SUGEET BALA AHUJA & ANR. ..... Respondents AND RFA(OS)(COMM) 77/2020, CM Nos.23373/2020 (for stay) & 23375/2020 (under Section 8 of Arbitration and Conciliation Act) ASIAN HOTELS (NORTH) LTD .... Appellant

Versus

JAIPUR JEWEL PALACE

..... Respondent

#### Counsel for the appellant:

Mr. Mukul Rohatgi, Mr. Sandeep Sethi & Mr. Siddharth Luthra, Sr. Advs. with Dr. Lalit Bhasin, Ms. Nina Gupta, Ms. Ananya Marwah, Ms. Ruchika Joshi & Mr. Ajay Pratap Singh, Advs. for Asian Hotels (North) Ltd.

Mr. Dhruv Mehta, Sr. Adv. with Mr. Yashraj Singh Deora, Mr. Anubhav Ray & Ms. Sonal Mashankar, Advs. for appellants in RFA Nos.16/2020 & 18/2020.

Mr. Avishkar Singhvi, Mr. Nipun Katyal & Ms. Madhavi Khanna, Advs. in RFA (OS) (COMM) Nos.13/2020, 15/2020, 17/2020 & 26/2020.

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Mr. Avishkar Singhvi, Mr. Nipun Katyal, Mr. Dhruv Surana & Ms. Madhavi Khanna, Advs. in RFA (OS) (COMM) Nos.14/2020,23/2020, 25/2020, 26/2020, 27/2020, 28/2020, 30/2020, 35/2020,36/2020,43/2020,44/2020,45/2020,46/2020,47/2020, 48/2020,49/2020,53/2020,55/2020,60/2020,61/2020,62/2020,63/2020,64/2020,65/2020,66/2020&67/2020.

Mr. Vivek Prasad Gupta, Adv. for appellant in RFA(OS)(COMM) No.50/2020.

#### Counsel for the respondents:

Mr. Mukul Rohatgi, Mr. Sandeep Sethi & Mr. Siddharth Luthra, Sr. Advs. with Dr. Lalit Bhasin, Ms. Nina Gupta, Ms. Ananya Marwah, Ms. Ruchika Joshi & Mr. Ajay Pratap Singh, Advs. for Asian Hotels (North) Ltd.

Mr. Dhruv Mehta, Sr. Adv. with Mr. Yashraj Singh Deora, Mr. Anubhav Ray & Ms. Sonal Mashankar, Advs. for respondent in RFA No.19/2020 & 33/2020.

Mr. Avishkar Singhvi, Mr. Nipun Katyal, Mr. Dhruv Surana & Ms. Madhavi Khanna, Advs. in RFA (OS) (COMM) Nos. 12/2020,20/2020,21/2020,22/2020,24/2020,29/2020,31/2020, 32/2020, 33/2020,34/2020,38/2020,39/2020,40/2020,42/2020,51/2020,52/2020, 54/2020,56/2020,57/2020,58/2020,59/2020,68/2020,69/020,70/2020,71/2020,72/2020&73/2020,74/2020,75/2020,76/2020&77/2020.

Mr. Vivek Prasad Gupta, Adv. for respondent in RFA(OS)(COMM) No.41/2020.

#### CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW HON'BLE MS. JUSTICE ASHA MENON

## Asian Hotels (North) Limited vs Alok Kumar Lodha on 12 October, 2020

#### **ORDER**

## % 12.10.2020 [VIA VIDEO CONFERENCING]

- 1. Mr. Dhruv Mehta, senior counsel for the occupants has concluded his arguments. Mr. Avishkar Singhvi, Advocate also for the occupants has also been heard.
- 2. Mr. Sidharth Luthra, Senior Advocate for Asian Hotels (North) Ltd. has also been heard.
- 3. List for arguments of Dr. Lalit Bhasin, Advocate, also on behalf of Asian Hotels (North) Ltd., as well as rejoinder arguments of Mr.Mukul Rohatgi and Mr. Sandeep Sethi, senior counsels, on 6th November, 2020.
- 4. Dr. Lalit Bhasin has also pleaded that the occupants have again written to the collaborators of the Asian Hotels (North) Ltd..
- 5. The said letters be placed on record. Arguments on the said aspect shall also be heard on the next date.
- 6. The application, if any filed in this regard be taken on record.
- 7. List on 6th November, 2020.

RAJIV SAHAI ENDLAW, J ASHA MENON, J OCTOBER 12, 2020 ck