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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(I) (COMM.) 239/2026 & I.A. 15934/2026 (Add.
Document)

M/S TRIDENS INFRA LLP Petitioner

Through: Mr. Arun Bhardwaj, Sr. Adv. with
Mr. Karan Bhardwaj, Mr. Rajat Gaba,
Mr. Anurag Kukreja, A. Das, Mr.
Ankit Choubey, Advs.

versus

M/S RIO LUXURY HOMES PVT LTD Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **01.06.2026**

1. This hearing has been done through hybrid mode.

I.A. 15935/2026 (Exemption)

2. Allowed, subject to all just exceptions. This application is disposed
of.

O.M.P.(I) (COMM.) 239/2026 & I.A. 15934/2026 (Add. Document)

3. The present petition under Section 9 of the Arbitration and Conciliation
Act, 1996 seeks the following prayers: -

“ In view of the facts and circumstances mentioned above, it is most
respectfully prayed that this Hon'ble Court may be pleased to pass
following orders in favour of the Petitioner and against the
Respondent till final adjudication of the Arbitration proceedings
between the Petitioner and the Respondent under clauses 41 and 42
of the IDA dated 23.12.2022:

a) Injunction against the Respondent directing it to not create any
3rd party rights under the Joint Development Agreement Dated



23.12.2022, registered with the RERA Goa (Goa Real Estate Regulatory Authority) under registration number PRG011242332 dated 19.11.2024 tilted as project A Cappella/'A Cappella Villa Project';

And/or

b) Injunction against the Respondent directing it to not withdraw any further funds from the Respondents RERA account under the Joint Development Agreement Dated 23.12.2022, registered with the RERA Goa (Goa Real Estate Regulatory Authority) under Registration number PRGO 112423 32 dated 19.11.2024 tilted as project A Cappella/'A Cappella Villa Project' with details as under:

S. No.	Customer ID	306503660
1.	Customer Name	RIO LHPL A CAPPELLA RERA AC
2.	Account No.	50200104165890
3.	Bank	HDFC Bank Ltd.
4.	Branch	Goa, Panjim
5.	IFSC	HDFC0000059

And/or

c) Injunction against the Respondent directing it to not take any steps for the renewal of the RERA Registration certificate expired on 31.03.2026 under Registration number PRG011242332 dated 19.11.2024 tilted as project A Cappella/'A Cappella Villa Project'.

And/or

d) As consequent to relief (c) above, injunction against the Respondent restraining the Respondent from carrying on further construction activities under the Joint Development Agreement Dated 23.12.2022, registered with the RERA Goa (Goa Real Estate Regulatory Authority) under Registration number PRG011242332 dated 19.11.2024 tilted as project A Cappella/'A Cappella Villa Project'

And/or

e) Pass a Direction against the Respondent to submit the following documents to the Petitioner.

- A revised and rectified Chartered Accountant's Certificate (Form 4) that accurately reflects the Petitioner's Land Acquisition Cost of approximately Rs. 12.75Crore, rectifying the defective "Nil" declaration made in the previous certificate



dated 22.08.2024.

- ii. Updated, villa-wise Architect's Certificates (Form 1) and Engineer's Certificates (Form 3) reflecting the actual current stage of completion and proportionate costs incurred for the 'A Cappella' project, as required for RERA withdrawals.
- iii. Complete and updated bank account statements from inception to date for the Master Collection Account, the 70% RERA Designated Account, and the 30% Current Account currently being operated by the Respondent for the project.
- iv. A complete, updated inventory list of all sold and unsold villas, along with true copies of all Agreements for Sale executed with third-party allottees to date.
- v. True copies of all mandatory half-yearly financial filings (including Form 6) and any other compliance documents submitted by the Respondent to the Goa RERA Authorities.

f) Pass any such other and further order(s) as this Hon'ble Court may deem fit and proper in the interest of justice.”

4. Issue notice to the respondent on petitioner taking necessary steps through all permissible modes including electronic mail, if any, returnable on 10.06.2026 before Vacation Bench.

I.A. 15933/2026

5. The present application under Section 9 of the Arbitration and Conciliation Act, 1996 read with Order XXXIX Rules 1 and 2 of the CPC, seeks the following prayers: -

“(a) Appoint a Local Commissioner, at such fee as this Hon' ble Court deems fit, with authority to carry out the Local Commission as stated in para 3 of this Application with the assistance of the Jurisdictional Police Station: **And/or**

(b) Grant ad-interim ex parte relief restraining the Respondent from the following until final adjudication of the present Petition under Section 9 of the Arbitration and Conciliation Act, 1996:

- i. Restraining the Respondent to not create any 3rd party rights



under the Joint Development Agreement Dated 23.12.2022, registered with the RERA Goa (Goa Real Estate Regulatory Authority) under Registration number PRGO11242332 dated 19.11.2024 tilted as project A Cappella/'A Cappella Villa Project';

And/or

ii. Restraining the Respondent to to not withdraw any further funds from the Respondents RERA account under the Joint Development Agreement Dated 23.12.2022, registered with the RERA Goa (Goa Real Estate Regulatory Authority) under Registration number PRGO 11242332 dated 19.11.2024 tilted as project A Cappella/'A Cappella Villa Project' with details as under:

S. No.	Customer ID	306503660
6.	Customer Name	RIO LHPL A CAPPELLA RERA AC
7.	Account No.	50200104165890
8.	Bank	HDFC Bank Ltd.
9.	Branch	Goa, Panjim
10.	IFSC	HDFC0000059

And/or

iii. Restraining the Respondent to not take any steps for the renewal of the RERA Registration certificate expired on 31.03.2026 under Registration number PRGO11242332 dated 19.11.2024 titled as project A Cappella/'A Cappella Villa Project'.

And/or

iv. Restraining the Respondent to from carrying on further construction activities under the Joint Development Agreement Dated 23.12.2022, registered with the RERA Goa (Goa Real Estate Regulatory Authority) under Registration number PRGO 11242332 dated 19.11.2024 tilted as project A Cappella/'A Cappella Villa Project'

(c) Pass such other and further order(s) as this Hon'ble Court may



deem fit and proper in the facts and circumstances of the case and in the interest of justice.”

6. Issue notice to the respondent/non-applicant, on petitioner/applicant taking necessary steps, through all permissible modes including electronic mail, if any, returnable on 10.06.2026 before Vacation Bench.

7. Learned Senior Counsel appearing on behalf of the petitioner submits that the respondents are withdrawing funds, without informing the petitioner, from the RERA account of a Joint Development agreement (JDA) dated 23.12.2022 for which details have been given as above.

8. In the meantime, *status quo* be maintained with respect to the aforesaid account, as detailed in prayer 2 of the aforesaid application. The said prayer is reproduced as under, for the sake of convenience: -

ii. Restraining the Respondent to to not withdraw any further funds from the Respondents RERA account under the Joint Development Agreement Dated 23.12.2022, registered with the RERA Goa (Goa Real Estate Regulatory Authority) under Registration number PRGO 11242332 dated 19.11.2024 tilted as project A Cappella/'A Cappella Villa Project' with details as under:

S. No.	Customer ID	306503660
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8.	Bank	HDFC Bank Ltd.
9.	Branch	Goa, Panjim
10.	IFSC	HDFC0000059



9. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J
(VACATION JUDGE)

JUNE 1, 2026/kr/sg