

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(arising out of SLP(C) No. 17487/2026)

M/S. MPM HOMES DEVELOPERS LLP & ORS. APPELLANT(S)

VERSUS

M/S. AMARJOT DEVELOPERS AND FINANCE PVT. RESPONDENT(S)
LTD.

O R D E R

1. Leave granted. As both parties are before this Court, the matter is amenable to immediate disposal.
2. The appellants, Ms. MPM Homes Developers LLP and its two partners, viz. Girish Malpani and Shruti Malpani, are aggrieved by the order dated 30.04.2026 passed by the High Court of Madhya Pradesh at Indore in Arbitration Appeal No. 332/2025. The said appeal was filed under Section 37 of the Arbitration and Conciliation Act, 1996¹, assailing the order dated 10.11.2025 passed by the Commercial Court (District Judge level)², Indore, M.P., in MJC AV-50/2025, an application filed under Section 9 of the 1996 Act.
3. It is an admitted fact that a sole arbitrator was appointed thereafter on 23.03.2026, under Section 11(6) of the 1996 Act.
4. We find from the order dated 10.11.2025 passed by the Commercial Court that the interim relief granted thereunder

1 “the 1996 Act”, for short

2 “Commercial Court”, for short

was only for a limited period of 90 days. However, by the impugned order dated 30.04.2026, the High Court deemed it appropriate to confirm the said interim order with modifications and directed that the same should continue till the pendency of the arbitration proceedings.

5. Further, we also find that the High Court made several observations on the merits of the matter, which would have an impact on the issues that would be raised before the sole arbitrator and which would be required to be considered during the arbitral proceedings. At this stage, it was premature for the High Court to have offered its views on the merits of the matter by making such observations, foreclosing any possibility of the arbitrator adjudicating upon such issues independently.
6. We are also of the opinion that, as the Commercial Court had granted interim relief under Section 9 of the 1996 Act by limiting it temporally, it would be the proper course for the parties to seek interim relief pending the arbitration proceedings by moving appropriate application(s) before the sole arbitrator under Section 17 of the 1996 Act. This would have been the course available to them had the High Court not interfered and extended the interim relief granted under Section 9 of the 1996 Act. The interim relief would have, otherwise, expired by efflux of time upon completion of the period of 90 days.
7. We, therefore, allow this appeal, setting aside the impugned

order dated 30.04.2026. The order dated 10.11.2025 passed by the Commercial Court, which was for a period of 90 days, shall stand extended until consideration of the application(s), if any, filed under Section 17 of the 1996 Act, by either of the parties before the sole arbitrator.

8. All issues are left open to be considered by the sole arbitrator in accordance with law. The sole arbitrator shall not be influenced by either the observations made by the High Court or by the Commercial Court or by the allowing of this appeal.
9. Pending application(s), if any, stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(K. VINOD CHANDRAN)

NEW DELHI;
MAY 14, 2026.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No. 17487/2026

[Arising out of impugned final judgment and order dated 30-04-2026 in ARBA No. 332/2025 passed by the High Court of Madhya Pradesh at Indore]

M/S. MPM HOMES DEVELOPERS LLP & ORS. Petitioner(s)

VERSUS

M/S. AMARJOT DEVELOPERS AND FINANCE PVT. LTD. Respondent(s)

(IA No. 150537/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 150540/2026 - EXEMPTION FROM FILING O.T.)

Date : 14-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :

Mr. Parag P. Tripathi, Sr. Adv.
Mr. Navin Pahwa, Sr. Adv.
Mr. Avishkar Singhvi, Adv.
Mr. B. Shrvanth Shanker, AOR
Ms. Prerna Robin, Adv.
Ms. Grahita Agarwal, Adv.
Mr. Aparajito Sen, Adv.
Ms. Tanushka Agarwal, Adv.
Ms. Aujaswi Maken, Adv.
Mr. B. Yeshwanth Raj, Adv.

For Respondent(s) :

Mr. Ravindra Singh Chhabra, Sr. Adv.
Mr. Amit Pai, AOR
Ms. Pankhuri Bhardwaj, Adv.
Mr. Aman Arora, Adv.
Ms. Bhavana Duhoon, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

In terms of the signed order, the appeal is allowed, setting aside the impugned order dated 30.04.2026. The order dated

10.11.2025 passed by the Commercial Court, which was for a period of 90 days, shall stand extended until consideration of the application(s), if any, filed under Section 17 of the 1996 Act, by either of the parties before the sole arbitrator.

Pending application(s), if any, stand disposed of.

(DEEPAK GUGLANI)
DEPUTY REGISTRAR

(AVGV RAMU)
COURT MASTER (NSH)

(signed order is placed on the file)