



2026:DHC:7543



\$~

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

%

*Judgment reserved on: 03.08.2026**Judgment pronounced on: 01.09.2026**Judgment uploaded on: 05.09.2026*# **CNR No. DLHC010345862026**+ **W.P.(C) 10751/2026 & CM APPL. 49847/2026****FAISAL AHMED**

.....Petitioner

Through: Mr. Harsh Vardhan Sharma,
Mr. Saksham Gupta, Mr.
Neeraj Kumar, Advocates.

versus

ASIAN HOTELS NORTH LTD & ANR.

.....Respondents

Through: Ms. Akansha Kaul, Advocate
for R-1.
Mr. Deepak Dhingra, Senior
Advocate with Ms. Sneha
Somani, Ms. Riya Sardana,
Advocates for R-2.

CORAM:**HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J**

1. By way of the present petition, the petitioner seeks intervention of this Court in the arbitral proceedings pending before the learned Sole Arbitrator. The petitioner principally seeks stay of further proceedings and/or pronouncement of the arbitral award; impleadment of the petitioner and the other legal heirs of late Sh.



2026:DHC:7543



Sultan Ahmed in the arbitral proceedings; an opportunity of hearing and participation in the said proceedings; and, if considered necessary, reopening of the proceedings and/or final arguments to enable such participation.

FACTUAL BACKGROUND

2. The present petition has been preferred by the petitioner primarily aggrieved by the continuation of arbitral proceedings without impleadment and participation of all the legal heirs of late Sh. Sultan Ahmed. It is the case of the petitioner that late Sh. Sultan Ahmed had entered into certain agreements with respondent no. 1, Asian Hotels (North) Limited [hereafter '**AHNL**'], in relation to Shop No. U-72 situated at Hyatt Regency Shopping Arcade, New Delhi, and that disputes subsequently arose between the parties concerning the alleged rights, title and interest in the said property. Late Sh. Sultan Ahmed passed away on 09.09.2023, leaving behind nine legal heirs, including the petitioner and respondent no. 2, Mr. Mujeeb Ahmed. According to the petitioner, despite being aware of the existence of the other legal heirs, respondent no. 2 independently instituted and pursued the arbitral proceedings against AHNL, purportedly in his capacity as the legal heir/legal representative of late Sh. Sultan Ahmed, without disclosing the existence of the other legal heirs to the learned Arbitrator. It is further stated that the petitioner was never informed of the pendency of the arbitral proceedings and came to know of the same only when the



proceedings had reached the stage of final arguments. The petitioner submits that the arbitral proceedings concern valuable estate and proprietary rights of late Sh. Sultan Ahmed and that continuation of the proceedings without notice to, and participation of, the other legal heirs is contrary to the principles of natural justice and Section 18 of the Arbitration and Conciliation Act, 1996 [hereafter '**A&C Act**']. It is further stated that, upon becoming aware of the proceedings, the petitioner approached the learned Arbitrator by filing an intervention application seeking, *inter alia*, an opportunity to be heard and to participate in the arbitral proceedings. The relevant prayer made in the said application was as under:

“It is, therefore, most respectfully prayed that the intervenor may be allowed to seek audience of the Arbitration Proceedings and to adduce or produce additional documents, if any. It is also prayed before the arbitral tribunal to ensure that any right, if any, of Mr. Sultan Ahmed is identified then the same be recorded as the share of all the legal heirs, instead of only one i.e. Mr. Mujeeb Ahmed, in the interest of justice”

3. The aforesaid application came to be disposed of by the learned Arbitrator *vide* the order dated 07.05.2026 [hereafter '**impugned order**']. The learned Arbitrator observed, in substance, that since respondent no. 2, Mr. Mujeeb Ahmed, had brought the claim as the legal heir of late Sh. Sultan Ahmed, he represented the estate of the deceased in the arbitral proceedings. It was further observed that, in the event of respondent no. 2 succeeding in the proceedings, any relief secured by him would be held by him in his capacity as representative of the estate of late Sh. Sultan Ahmed. The



learned Arbitrator further observed that the grievance raised by the petitioner was essentially against the claimant and that the *inter se* rights of the legal heirs were not matters which could be adjudicated upon in the arbitral proceedings. The petitioner and the other legal heirs were accordingly left at liberty to pursue such other remedies as may be available to them in law against respondent no. 2 or in respect of the estate represented by him. The relevant observations of the learned Arbitrator read as under:

“5. Having heard the learned Counsel for the applicant/Intervenor, as also the learned Counsel for the parties, this tribunal is of the considered view that all that needs to be said here is that in the proceedings arising out of the Claim brought for adjudication by Mr. Mujeeb Ahmed as legal heir of late Mr. Sultan Ahmed, he (Mr. Mujeeb Ahmed) represents the estate of his father i.e. late Mr. Sultan Ahmed. If Mr. Mujeeb Ahmed succeeds in these proceedings, the reliefs secured by him herein would be in his hands as representative of the estate. The grievance of the applicant, as expressed through the application at hand, is against the Claimant. The rights of other legal heirs, if any, claimed *inter se* each other are not to be, nor can be, adjudicated in these arbitral proceedings by this forum of limited jurisdiction. For claiming rights, if any available/admissible, against Mr. Mujeeb Ahmed or the estate he represents, the applicant and others who are similarly placed will have to pursue appropriate remedies before forum of competent jurisdiction in accordance with law. The application is disposed of with these observations.”

SUBMISSIONS BEFORE THE COURT

4. The learned counsel appearing for the petitioner argues that the arbitral proceedings concern rights and claims forming part of the estate of late Sh. Sultan Ahmed, who left behind nine legal heirs, including the petitioner. It is contended that respondent no. 2, despite



2026:DHC:7543



being aware of the existence of the other legal heirs, instituted and pursued the arbitral proceedings without disclosing their existence to the learned Arbitrator and without obtaining their consent or otherwise establishing his authority to exclusively represent the entire estate. It is submitted that neither any surviving member certificate nor any No Objection Certificate from the other legal heirs was placed on record before commencement of the arbitral proceedings. The petitioner, despite having an interest in the estate, was never put to notice of the proceedings and was consequently denied any opportunity to participate, produce documents or lead evidence in support of the claims pertaining to the estate of late Sh. Sultan Ahmed. It is thus contended that continuation of the proceedings in the absence of the petitioner violates the principles of natural justice, including the rule of *audi alteram partem*, and is contrary to Section 18 of the A&C Act. It is further submitted that respondent no. 2 cannot, in the absence of the consent or authority of the other legal heirs, exclusively prosecute claims concerning the entire estate, particularly when the outcome of the arbitration, whether in favour of or against respondent no. 2, would have a direct bearing upon the rights and interests of the remaining legal heirs.

5. On the maintainability of the present petition, the learned counsel submits that the petitioner is not, and has never been, a party to the arbitral proceedings and is therefore left without any efficacious statutory remedy at the present stage. It is contended that Section 34 of the A&C Act provides for recourse against an arbitral



2026:DHC:7543



award to a party to the arbitration, whereas no appeal under Section 37 lies against the impugned interlocutory order. The petitioner therefore submits that the present case falls within the limited category of cases warranting exercise of the jurisdiction of this Court under Articles 226 and 227 of the Constitution. It is further submitted that relegating the petitioner to a remedy after pronouncement of the award would cause grave prejudice, since, if the claim succeeds, respondent no. 2 may appropriate the fruits of the award to the exclusion of the other legal heirs; while if the claim fails, the estate would suffer the consequences of an adjudication rendered without the petitioner having been afforded any opportunity of hearing. On these grounds, the learned counsel prays that the impugned order dated 07.05.2026 be set aside and appropriate directions be issued to enable the petitioner and the other legal heirs to participate in the arbitral proceedings.

6. *Per contra*, the learned counsel appearing for AHNL opposes the present petition and argues that the petitioner is not without a remedy and may challenge the arbitral award, if any, upon its pronouncement, in accordance with Section 34 of the A&C Act. It is further submitted that, if the petitioner had any independent claim in respect of the subject matter of the arbitration, he could have pursued the same independently, though any such claim at this stage would be barred by limitation. The learned counsel further points out that the underlying termination letter was issued as far back as in the year 2020, whereas the petitioner has approached this Court for the first



time only in the year 2026, when the arbitral proceedings have already reached the stage of final arguments. It is therefore submitted that the belated intervention sought by the petitioner would seriously prejudice and derail the ongoing arbitral proceedings. The learned counsel further submits that the impugned order is a reasoned order passed by the learned Arbitrator after considering the grievance raised by the petitioner and, therefore, does not warrant interference by this Court in exercise of its jurisdiction under Articles 226 and 227 of the Constitution.

7. This Court has **heard** arguments addressed on behalf of the petitioner as well as the respondents, and has perused the material available on record.

ANALYSIS & FINDINGS

8. In the present case, a perusal of the orders passed by the learned Arbitrator, as well as the statement of claim filed by respondent no. 2 and placed on record by the petitioner, reveals that AHNL had issued a termination letter dated 29.05.2020 to late Sh. Sultan Ahmed in respect of Shop No. U-72 situated at Hyatt Regency Shopping Arcade, New Delhi. It is also evident from the record that similar termination letters were issued by AHNL to several other shop owners in respect of their respective shops situated at Hyatt Regency Shopping Arcade, New Delhi. Pursuant thereto, a number of civil suits came to be instituted by the concerned shop owners before this Court. In the said commercial suits, AHNL, as the defendant,



2026:DHC:7543



invoked Section 8 of the A&C Act, contending that the agreements between the parties contained an arbitration clause and, consequently, the suits were not maintainable. The said proceedings thereafter travelled up to the Hon'ble Supreme Court. Eventually, the applications under Section 8 of the A&C Act came to be decided by this Court *vide* order dated 20.12.2023, whereby the parties were referred to arbitration. Pursuant thereto, the concerned shop owners also invoked the respective arbitration clauses and, in March 2024, the learned Arbitrator was appointed. In the meantime, late Sh. Sultan Ahmed had passed away on 09.09.2023, leaving behind nine legal heirs, and the aforesaid legal proceedings in relation to his rights were being pursued by respondent no. 2, one of his legal heirs. Respondent no. 2 thereafter filed his statement of claim before the learned Arbitrator in May 2024. Subsequently, the learned Arbitrator originally appointed recused from the proceedings and, *vide* order dated 02.09.2024 passed by this Court in *OMP(T)(Comm.) No. 87/2024*, the present learned Sole Arbitrator was appointed to adjudicate the batch of matters arising out of the termination letters issued in respect of the shops situated at Hyatt Regency Shopping Arcade, New Delhi.

9. It is undisputed that, in relation to the shop and the claims of late Sh. Sultan Ahmed, the legal proceedings were being pursued by respondent no. 2, who is one of his legal heirs. The petitioner, however, asserts that he was neither informed of the aforesaid proceedings nor made aware of the manner in which the claims



pertaining to the estate of late Sh. Sultan Ahmed were being pursued. It is in these circumstances that the petitioner claims to have approached the learned Arbitrator only upon becoming aware of the pendency of the arbitral proceedings, when the matter had already reached the stage of final arguments.

10. It would be appropriate, at this stage, to delineate the scope of the jurisdiction invoked by the petitioner. Section 5 of the A&C Act embodies the legislative policy of minimal judicial intervention in arbitral proceedings and provides that, in matters governed by Part I of the A&C Act, no judicial authority shall intervene except where so provided under the said Part. The provision, therefore, requires Courts to exercise restraint while dealing with challenges arising during the pendency of arbitral proceedings.

11. At the same time, it is well-settled that Section 5 of the A&C Act does not entirely curtail the constitutional jurisdiction of this Court under Article 226 and 227 of the Constitution, which extends to tribunals, including arbitral tribunals. The existence of such jurisdiction is, therefore, not in doubt; what requires consideration is whether the facts of the present case warrant its exercise. The principles governing such exercise are also well settled by the decisions of the Hon'ble Supreme Court in ***SBP & Co. v. Patel Engineering Ltd.***: (2005) 8 SCC 618, ***Deep Industries Ltd. v. Oil and Natural Gas Corporation Ltd.***: (2020) 15 SCC 706 and ***Bhaven Construction v. Executive Engineer, Sardar Sarovar Narmada***



2026:DHC:7543



Nigam Ltd.: (2022) 1 SCC 75.

12. In ***SBP & Co.*** (*supra*) it was observed as under:

“44. It is seen that some High Courts have proceeded on the basis that any order passed by an arbitral tribunal during arbitration, would be capable of being challenged under Article 226 or 227 of the Constitution of India. We see no warrant for such an approach. Section 37 makes certain orders of the arbitral tribunal appealable. Under Section 34, the aggrieved party has an avenue for ventilating his grievances against the award including any in- between orders that might have been passed by the arbitral tribunal acting under Section 16 of the Act. The party aggrieved by any order of the arbitral tribunal, unless has a right of appeal under Section 37 of the Act, has to wait until the award is passed by the Tribunal. This appears to be the scheme of the Act. The arbitral tribunal is after all, the creature of a contract between the parties, the arbitration agreement, even though if the occasion arises, the Chief Justice may constitute it based on the contract between the parties. But that would not alter the status of the arbitral tribunal. It will still be a forum chosen by the parties by agreement. We, therefore, disapprove of the stand adopted by some of the High Courts that any order passed by the Arbitral Tribunal is capable of being corrected by the High Court under Article 226 or 227 of the Constitution. Such an intervention by the High Courts is not permissible.”

13. In ***Bhaven Construction*** (*supra*), the Hon’ble Supreme Court reiterated that interference under Article 226/227 of the Constitution in arbitral proceedings is to be exercised only in cases of exceptional rarity, particularly where a party is left ‘remediless’ under the statutory framework or where there is ‘clear bad faith’. Thus, the mere availability of the constitutional power does not by itself justify interference with an order passed by the learned Arbitral Tribunal, and the Court has to examine whether the present case falls within the



narrow parameters for exercise of such jurisdiction.

14. The expression ‘remediless’ used by the Hon’ble Supreme Court in ***Bhaven Construction*** (*supra*), has been explained by the Hon’ble Supreme Court in ***Harshbir Singh Pannu v. Jaswinder Singh***: 2025 INSC 1400, with reference to the statutory remedies available under the A&C Act, including the availability of a challenge to the eventual award under Section 34, in the following terms:

“289. ...

(ii) ***Secondly***, that the expression “remediless” used in ***Bhaven Construction*** (*supra*) has to be construed in light of the scheme of the Act, 1996. Any order or award passed by the arbitral tribunal that can be challenged within the confines of Section(s) 34 and 37 of the Act, 1996 would not be amenable to challenge under Article 227, since a statutory remedy has been already provided under the Act. Even where no statutory remedy exists under the Act, 1996 against any order passed by the arbitral tribunal, the same cannot be assailed by invoking Article 227, if the ground for challenging such an order can be raised at the time of seeking the setting aside of the final award under Section 34...”

15. Therefore, in examining whether the petitioner is in fact left remediless or without an efficacious remedy under the statutory framework, it would be necessary for this Court to first consider the position of a legal representative under the A&C Act.

16. Section 2(1)(g) of the A&C Act defines a ‘*legal representative*’ to mean a person who in law represents the estate of a deceased person and includes, *inter alia*, a person who intermeddles with the estate of the deceased. Section 40 of the A&C Act further



2026:DHC:7543



provides that an arbitration agreement does not come to an end upon the death of a party, but remains enforceable by or against the legal representative of the deceased. Section 35, in turn, provides that an arbitral award shall be final and binding on the parties and persons claiming under them. The combined effect of these provisions is that the death of a party does not bring the arbitral proceedings to an end; rather, the rights and obligations arising from the arbitration agreement survive and may be enforced by or against the legal representative, as the case may be. The eventual award is also capable of binding persons claiming under the deceased party.

17. This statutory scheme under the A&C Act necessarily carries with it a corresponding right of a legal representative to avail the statutory remedy against an award which affects the estate represented by him. This aspect has been explained by the Hon'ble Supreme Court in ***V.K. John v. S. Mukanchand Bothra and HUF (Died) represented by LRs.***: 2026 INSC 393. In that case also, the original contracting party had died and the arbitral proceedings were pursued through a person claiming to represent the estate. The petitioner therein claimed to be a legal heir, complained of want of notice and contended that, having never been a party to the arbitration, he could not invoke Section 34 of the A&C Act. The Hon'ble Supreme Court rejected the said contention and held that a legal representative claiming under the deceased party is entitled to challenge the arbitral award under Section 34 of the A&C Act and that the remedy against the award lies under the statutory scheme of



the A&C Act and not ordinarily under Article 227 of the Constitution or Section 115 of the Code of Civil Procedure, 1908. The Court, *inter alia*, observed that denying such remedy to a legal representative would leave him without a statutory remedy while simultaneously making the award binding upon him. The Supreme Court had also taken note of its earlier decision in ***Ravi Prakash Goel v. Chandra Prakash Goel***: (2008) 13 SCC 667, wherein it was recognised that the rights and obligations arising from an arbitration agreement survive the death of a party and that the personal representatives of the deceased, being persons claiming under him, are entitled to enforce the award and are equally bound by it. The relevant observations in case of ***V.K. John*** (*supra*) are set out below:

“13. In the considered view of this Court, the appropriate relief for a legal representative to challenge an arbitral award is under Section 34 of the Arbitration Act and not under Article 227 of the Constitution/Section 115 of the CPC.

18. In our view, when the scheme of the Act is towards continuity of arbitral proceedings, in the event of death of a party, the natural corollary, evident from the definition clause itself, is that upon the death of a party, legal representatives’ step into the shoes of a party for the purposes of the Act. Similarly, this Court in ***Rahul Verma and Ors. v. Rampat Lal Verma and Ors.***, while permitting legal heirs of a deceased partner to invoke arbitration under the agreement therein, had noted that upon the death of the deceased, the legal heirs had ‘stepped into the shoes of the deceased’ and therefore, the arbitration clause continues to bind all concerned parties.

19. Moreover, in the considered view of this Court, when an award has been made enforceable against the legal representatives of a deceased party under the Act, the right to challenge such an award, which is available under the Act to the parties, also has to naturally flow to the said legal



representatives. This Court, while permitting the legal representatives of a deceased partner of a partnership firm to initiate arbitration, in **Ravi Prakash Goel** (*supra*), as rightly submitted by Respondent No. 3 had observed as under:

“18. It is clear from Section 40 of the Arbitration Act that an arbitration agreement is not discharged by the death of any party thereto and on such death it is enforceable by or against the legal representatives of the deceased, nor is the authority of the arbitrator revoked by the death of the party appointing him, subject to the operation of any law by virtue of which the death of a person extinguishes the right of action of that person.

...

...

...

20. The definition of “legal representative” became necessary because such representatives are bound by and also entitled to enforce an arbitration agreement. Section 40 clearly says that an arbitration agreement is not discharged by the death of a party. The agreement remains enforceable by or against the legal representatives of the deceased. In our opinion, a person who has the right to represent the estate of the deceased person occupies the status of a legal person (sic representative). Section 35 of the 1996 Act which imparts the touch of finality to an arbitral award says that the award shall have binding effect on the “parties and persons claiming under them”. Persons claiming under the rights of a deceased person are the personal representatives of the deceased party and they have the right to enforce the award and are also bound by it. The arbitration agreement is enforceable by or against the legal representative of a deceased party provided the right to sue in respect of the cause of action survives.”

(emphasis supplied)...”

18. It is thus clear that the statutory scheme does not leave a legal representative remediless merely because the arbitral proceedings were initiated or continued after the death of the original party without his individual participation.

19. In this context, Section 34(2)(a)(iii) of the A&C Act is also relevant, as it specifically contemplates a challenge to an arbitral



2026:DHC:7543



award where a party making the application was not given proper notice of the appointment of the arbitrator or of the arbitral proceedings, or was otherwise unable to present his case. Thus, the grievance regarding want of notice or opportunity to participate is not alien to the statutory scheme of the A&C Act and can, subject to the facts and circumstances of the case, form the basis of a challenge to the eventual award under Section 34 of the A&C Act.

20. In the present case, the petitioner has argued that he is one of the nine legal heirs of late Sh. Sultan Ahmed and, therefore, has an interest in the estate of the deceased. His grievance is that, despite such interest, he was neither informed of nor permitted to participate in the arbitral proceedings, although the outcome thereof may have a bearing upon the estate. This Court *however* is conscious of the fact that the petitioner seeks intervention at a stage when the arbitral proceedings have been pending for more than two years and have already reached the stage of final arguments. The question, therefore, is not only as to whether the petitioner has an interest in the estate, but whether, in the facts and circumstances of the present case, this Court ought to interdict the arbitral proceedings at such an advanced stage in exercise of its limited jurisdiction under Article 226/227 of the Constitution.

21. This Court notes that the intervention application filed by the petitioner before the learned Arbitrator essentially contained two distinct prayers. *First*, the petitioner sought permission to participate



2026:DHC:7543



in the arbitral proceedings, including an opportunity of audience and to adduce or produce additional documents, if any. *Second*, he sought a direction that any right or relief found to accrue to late Sh. Sultan Ahmed be treated as forming part of the estate and not as the exclusive right of respondent no. 2.

22. As regards the second prayer in his application for intervention, the learned Arbitrator has expressly addressed the concern raised by the petitioner. The learned Arbitrator has observed in the impugned order that respondent no. 2, having instituted the claim as the legal heir of late Sh. Sultan Ahmed, represents the estate of the deceased and that, in the event of respondent no. 2 succeeding in the proceedings, the relief secured by him would be held by him in his capacity as representative of the estate. Thus, the impugned order does not recognise any exclusive personal entitlement of respondent no. 2 to the relief, nor does it permit him to treat the fruits of the arbitral proceedings as belonging to him in his individual capacity. The apprehension of the petitioner to this extent therefore stands addressed by the clarification contained in the impugned order.

23. In the above background, it also apposite to take note of the settled legal position that where some, though not all, of the legal representatives of a deceased person are before the adjudicating forum, the estate may, in appropriate circumstances, be treated as sufficiently represented by the legal representative who is before the Court. In ***Daya Ram v. Shyam Sundari***: 1964 SCC OnLine SC 153,



2026:DHC:7543



the Hon'ble Supreme Court held that where one of the legal representatives is brought on record, he represents the estate and the proceedings do not necessarily abate merely because all legal representatives have not been impleaded. The said principle has been followed, inter alia, in ***N.K. Mohd. Sulaiman Sahib v. Mohd. Ismail Saheb***: 1965 SCC OnLine SC 103 and ***Harihar Prasad Singh v. Balmiki Prasad Singh***: (1975) 1 SCC 212. The underlying principle therefore is that a legal representative on record does not litigate only in his personal capacity, but can represent the estate of the deceased.

24. In the present case, respondent no. 2 is admittedly one of the legal heirs of late Sh. Sultan Ahmed and has been pursuing the claims arising out of the agreements entered into by the deceased with AHNL. The learned Arbitrator has also expressly recorded that respondent no. 2 represents the estate of late Sh. Sultan Ahmed and that any relief granted in the arbitral proceedings would be held by him in that representative capacity. In these circumstances, the fact that the petitioner and the other legal heirs were not individually before the learned Arbitrator cannot, by itself, render the entire arbitral proceedings invalid or justify their interdiction at this advanced stage, in the opinion of this Court.

CONCLUSION

25. In view of the aforesaid discussion, this Court is of the opinion that the learned Arbitrator has already clarified that respondent no. 2 represents the '*estate of late Sh. Sultan Ahmed*' and that any relief



2026:DHC:7543



granted in the arbitral proceedings would be held by him in that representative capacity. This Court also clarifies that any award passed in favour of respondent no. 2 would be in relation to, and for the benefit of, the estate of late Sh. Sultan Ahmed and would not confer upon respondent no. 2 any exclusive personal right thereto. Likewise, any decision adverse to the claim filed by respondent no. 2 would operate, in accordance with law, against the estate of late Sh. Sultan Ahmed represented in the arbitral proceedings. The petitioner's rights in the estate are therefore not being adjudicated upon by the learned Arbitrator in the present proceedings.

26. Further, the petitioner cannot be said to be without a remedy in respect of the eventual arbitral award. As held by the Hon'ble Supreme Court in **V.K. John** (*supra*), a legal representative claiming under a deceased party is entitled to challenge the arbitral award under Section 34 of the A&C Act, even where such legal representative had not participated in the arbitral proceedings. The said remedy would, therefore, also be available to the petitioner and to the other legal heirs of late Sh. Sultan Ahmed. Any grievance regarding want of notice or opportunity to present their case, as well as any other ground available under Section 34 of the A&C Act, can accordingly be raised at the appropriate stage.

27. In these circumstances, and having regard particularly to the advanced stage of the arbitral proceedings, this Court does not find the present case to fall within the narrow parameters warranting



2026:DHC:7543



interference under Article 226/227 of the Constitution.

28. Accordingly, the present petition, alongwith pending application, is dismissed.

29. It is, however, clarified that this Court has not expressed any opinion on the *inter se* rights of the legal heirs of late Sh. Sultan Ahmed in his estate, or on any other substantive claim which may be available to the petitioner or the other legal heirs in accordance with law. It is further clarified that the observations made herein shall not prejudice any remedy available to the petitioner or the other legal heirs under Section 34 of the A&C Act or before any other forum of competent jurisdiction.

30. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

SEPTEMBER 1, 2026/zp

TD