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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ ARB.P. 179/2011

CATERPILLAR INDIA PVT LTD

..... Petitioner

Through : Mr. Krishanayan Sen, Adv.

versus

SURYACHAKRA POWER CORPORATION LTD

..... Respondent

Through : Mr. N.K. Kantawala and Mr. Abhishek
Seth, Adv.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

ORDER

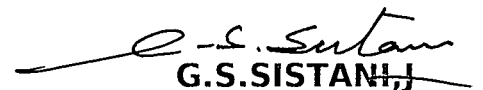
11.11.2011

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1. This is a petition filed by the petitioner under Section 11(6) of Arbitration and Conciliation Act, 1996, for appointment of Arbitrator.
2. Learned counsel for the respondent has raised a preliminary objection with regard to maintainability of this petition as this Court would have no territorial jurisdiction. Counsel for the respondent has relied upon Clause 12.4 of the Agreement entered into between the parties.
3. After some hearing in the matter, learned counsel for the petitioner prays that this petition be returned to him to enable him to file the same before the appropriate Court of jurisdiction.
4. Let the office return this petition to the petitioner to enable him to re-file the same before the appropriate Court of jurisdiction within thirty days from the date of return of the petition.

NOVEMBER 11, 2011

msr


G.S.SISTANI,J

Signature Not Verified

Digitally Signed By: AMULYA
Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.