

Court No. - 40

Case :- WRIT - C No. - 32750 of 2023

Petitioner :- M/S J.P. Builders Narayan Nagar Etah

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Ramdhan,Ameet Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner, learned Additional Chief Standing Counsel for the State-respondents and perused the record.

2. By means of the instant petition, petitioner has prayed for following principal reliefs:-

"(i) Issue a writ, order of direction in the nature of mandamus commanding and directing the Competent Sole Arbitrator to consider and decide the Arbitration Case No. Nil of 2021 (M/s. J.P. Builders Vs. State of U.P. and others) within stipulated period at an early date as may be fixed by this Hon'ble Court.

(ii) Issue any other suitable, order of direction, as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case."

3. At the very outset, learned Additional Chief Standing Counsel for the State-respondents raised a preliminary objection regarding the maintainability of the instant petition by submitted that in view of the provisions contained under Section 29(A) of the The Arbitration and Conciliation Act, 1996, no relief can be extended to the petitioner.

4. When confronted with above, the learned counsel for petitioner submits that he does not want to press the instant petition and the same may be dismissed as not pressed with liberty to invoke the remedy as available under the law.

5. In view of the above, the instant petition stands ***dismissed as not pressed*** with aforesaid liberty.

Order Date :- 19.10.2023

Sachin