

Court No. - 46

Case :- WRIT - C No. - 34174 of 2023

Petitioner :- M/S Sahara Nursery And Farms

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Mahesh Sharma, Arvind Kumar Verma

Counsel for Respondent :- CSC, Kaushalendra Nath Singh

Hon'ble Ashwani Kumar Mishra, J.

Hon'ble Syed Aftab Husain Rizvi, J.

1. Faced with the observation that arbitration clause exists in the agreement between the parties and that writ petition would not be appropriate remedy, learned counsel for the petitioner comes up with the prayer to withdraw the writ petition as the petitioner intends to press its application before the NOIDA itself.

2. The writ petition is, accordingly, **dismissed** as withdrawn.

3. Dismissal of this petition on the ground of alternative remedy of arbitration would not prevent the NOIDA from considering the petitioner's application on merits.

Order Date :- 20.11.2023

LN Tripathi