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

+ **FAO(OS) 229/2015**

**M/S DELHI STATE INDUSTRIAL & INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD** Appellant
Through: Mr Moni Cinmoy

versus

M/S BLS SUMER JOINT VENTURE Respondent
Through: Nemo

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **28.04.2015**

CM No. 7711/2015

This is an application for condonation of delay. The delay in filing is condoned.

The application stands disposed of.

CM No. 7710/2015

The exemption is allowed subject to all just exceptions.

FAO(OS) 229/2015

This is an appeal against the order dated 27.01.2015 passed by a learned Single Judge of this court in OMP No. 120/2015. The said petition before the learned Single Judge was under Section 14 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the said Act') for terminating the mandate of the learned Arbitrator. The learned Single Judge rejected the said application on the ground that the appellant being unsuccessful in an application before the learned Arbitrator under Section 12 of the said Act, cannot thereafter invoke the jurisdiction of the court under Section 14(2)

of the said Act. The learned Single Judge has followed the decision of a Division Bench of this court in **Progressive Career Academy Pvt. Ltd. v. FIIT JEE Ltd: 180 (2011) DLT 714 (DB)**. The decision of the learned Single Judge does not suffer from any error.

The appeal is dismissed.

BADAR DURREZ AHMED, J

SANJEEV SACHDEVA, J

APRIL 28, 2015
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