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

+ O.M.P. 676/2012

RAJENDRA MITTAL CONSTRUCTION CO PVT LTD

..... Petitioner

Through Mr.Udit Seth, Adv.

versus

M/S MAG FILTER & EQUIPMENTS P LTD

..... Respondent

Through Mr.Sunil Dalal, Adv.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

% **26.04.2016**

I.A. No.5039/2016 (u/o XXIII R.3 CPC) and
O.M.P. No.676/2012

The petitioner has filed the abovementioned petition under Section 34 of the Arbitration and Conciliation Act, 1996 for setting-aside the Arbitral Award dated 9th March, 2012. The respondent herein also filed the objections under Section 34 of the Act being O.M.P. No.717/2012 challenging the same Award. By order dated 23rd February, 2016, with the consent of the parties, both the petitions were referred to the Delhi High Court Mediation and Conciliation Centre and the same were directed to be listed before Court on 8th July, 2016.

In the meanwhile, the abovementioned joint application has been filed by the parties, i.e. the petitioner and the respondent, under Order XXIII

Rule 3 and Section 151 CPC. It is stated in the application that the parties have decided to settle the two pending matters viz., OMP No.676/2012 (filed by petitioner) and OMP No.717/2012 (filed by respondent) arising out of Arbitration Award dated 9th March, 2012 mutually and have agreed that the Award dated 9th March, 2012 be modified in terms of the agreement, the details of which are mentioned in para 4 of the application. In view of the said agreement entered into between the parties, it is prayed that the Arbitration Award dated 9th March, 2012, which is subject matter of OMP No.676/2012 and OMP No.717/2012 stands settled and satisfied in terms of the above Agreement.

In view of the settlement, the present petition being O.M.P. No.676/2012 as well as the connected petition being O.M.P. No.717/2012 (filed by the respondent) are accordingly disposed of. The parties shall be bound by the terms of the agreement as mentioned in para 4 of the application. The date already fixed as 8th July, 2016 stands cancelled. The matters be not listed on the said date.

I.A. No.5039/2016 is disposed of.

MANMOHAN SINGH, J.

APRIL 26, 2016/ka