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

+ W.P.(C) 4848/2016

ABHAY KUMAR JHA

..... Petitioner

Through: Mr. Subramonium Prasad, Sr. Adv.
with Mr.Jitendra Jha, Mr.Sanjeev
Sharma, Mr.Shariq Iqbal, Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ORS Respondents

Through: Mr. Arun Birbal, Standing Counsel
for DDA.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **24.05.2016**

CM 20234/2016 (Exemption)

Allowed subject to just exceptions.

W.P.(C)4848/2016 & CM 20233/2016

1. Mr. Arun Birbal, learned standing counsel for DDA present in Court on receipt of advance copy submits that there is a valid arbitration agreement between the parties contained in clause no.25 (pages 180 and 181 of the paper book) and therefore, the appropriate remedy for the petitioner is to invoke the arbitration clause. So far as the prayers (b) and (c) are concerned, the petitioner has an equally efficacious remedy of invoking Section 9 of the Arbitration and Conciliation Act, 1996.
2. In view of the objection taken by learned standing counsel for DDA, learned senior counsel for the petitioner seeks permission to withdraw this petition with liberty to avail appropriate legal remedies available to the petitioner under the Arbitration and Conciliation Act, 1996.
3. This petition and the application are dismissed as withdrawn with

liberty to avail appropriate legal remedies available to the petitioner under the Arbitration and Conciliation Act, 1996.

4. Copy of this order be given *dasti* to counsels for the parties under the signature of the Court Master.

J.R. MIDHA, J.

MAY 24, 2016

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