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

+ **O.M.P.(I) (COMM.) 243/2016**

CENTURY METAL RECYCLING PVT. LTD Petitioner
Through: Mr. Suryakant Singla, Advocate.

versus

ALKRAFT ENGINEERING AND ORS Respondents
Through: Mr. Manoranjan Kumar, Advocate.

CORAM: JUSTICE S. MURALIDHAR

ORDER

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30.11.2016

1. As far as this petition under Section 9 of the Arbitration and Conciliation Act, 1996 is concerned, an objection has been raised by the learned counsel for the Respondent that this court has no jurisdiction to entertain the present petition.

2. However, he does not dispute that the agreement was executed in Delhi and the arbitration clause envisages the arbitration taking place in Delhi. In any event, the arbitration ultimately did take place in Delhi and the Award was passed in Delhi. Therefore, there is no merit in the above objection.

3. The next contention is that the Respondent has filed a petition under Section 34 of the Act challenging the impugned Award. It was noted by this Court in the order dated 1st June, 2016 that the said petition under Section 34 had till then not been listed before the Court. That position continues even today.

4. In these circumstances, the Court continues the interim order passed by this court on 28th May, 2015 till such time the appropriate Court before whom enforcement of the Award is sought passes an interim order on that aspect in accordance with law.

5. The petition is disposed of in the above terms.

S. MURALIDHAR, J.

NOVEMBER 30, 2016
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