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

+ **FAO(OS) 212/2016 & CM Nos. 26049-50/2016**

SKS POWER GENERATION (CHHATTISGARH) LTD Appellant

Through : Mr Rajiv Nayar, Senior Advocate with
Mr A. S. Mathur, Mr Vaibhav Joshi and
Mr Vivek Mathur

versus

AQUATECH SYSTEMS (ASIA) PVT LTD & ANR Respondents

Through : Mr Hiroo Advani with Mr Tariq
Khan for R-1.
Mr Pardaman Singh Batra for R-2.

+ **FAO(OS) 213/2016 & CM Nos. 26058-26059/2016**

SKS POWER GENERATION (CHHATTISGARH) LTD Appellant

Through : Mr Rajiv Nayar, Senior Advocate with
Mr A. S. Mathur, Mr Vaibhav Joshi and
Mr Vivek Mathur

versus

AQUATECH SYSTEMS (ASIA) PVT LTD & ANR Respondents

Through : Mr Hiroo Advani with Mr Tariq
Khan for R-1.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **15.09.2016**

The learned counsel for the respondent No.1 submits that he may be permitted to withdraw the Section 9 applications, being OMP Nos. 435/2015 and 446/2015, in view of the fact that he would be approaching the Arbitral Tribunal under Section 17 of the Arbitration and Conciliation Act, 1996.

In view of this statement, nothing survives in these appeals. Consequently, the appeals are disposed of with liberty to the respondent No.1 to approach the Arbitral Tribunal for interim measures under Section 17 of the said Act. The impugned order is set aside and the interim orders passed by the learned Single Judge stand vacated. This is without prejudice to the rights of the respondent No.1 to apply for similar reliefs before the Arbitral Tribunal under Section 17.

The appeals stands disposed of accordingly.

Dasti under the signature of the Court Master.

BADAR DURREZ AHMED, J

ASHUTOSH KUMAR, J

SEPTEMBER 15, 2016
SR