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

+ **FAO 480/2016**

M/S SHIV OM SECURITY SERVICES (P) LTD. Appellant

Through: Mr. Mobin Akhtar,, Advocate

Versus

M/S M B D & ANR.

..... Respondents

Through: Nemo.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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28.09.2016

C.M.No. 35928/2016 (for exemption)

Allowed subject to all just exceptions.

FAO 480/2016 & C.M.No. 35927/2016 (for stay)

Impugned order of 30th July, 2016 rejects appellant's objections under Section 34 of *The Arbitration and Conciliation Act, 1996* against an Award, which allows counter claim of respondents and grants ₹10,50,000/- to the respondents.

Learned counsel for appellant assails the impugned order on the ground that the impugned order does not deal with appellant's contentions and the dispute between the parties pertaining to a theft being not abribtrable. It is submitted that this plea was taken before the trial court but it has neither been noted nor dealt with in the impugned order.

In such a situation, the appropriate course for appellant to adopt is

to seek review of the impugned order.

Learned counsel for appellant submits that the review application would be filed before the trial court within a week.

If it is so done, then the trial court shall expeditiously dispose of the review application.

With aforesaid directions, this appeal and application are disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

SEPTEMBER 28, 2016

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