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

+ **W.P.(C) 11542/2016**

M/S VIRENDER KHANNA AND ASSO Petitioner

Through : Mr Ramesh Singh, Mr Ranjan N. and
Mr Rohit Kumar, Advocates.

versus

UNION OF INDIA AND ANR Respondents

Through : Mr Brajesh Kumar, Advocate for R-1.
Mr Digvijay Rai, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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09.12.2016

CM No.45444/2016(exemption)

Allowed, subject to all just exceptions.

W.P.(C) 11542/2016

Issue notice. Notice is accepted by the learned counsel appearing for the respondent No.1 as also by the learned counsel for the respondent No.2.

The petitioner impugns decision of the respondent dated 10.08.2016 and 26.09.2016, whereby the respondents have refused to refer the disputes raised by the petitioners to the Dispute Resolution Board in terms of clause 14.0 of Agreement dated 29.02.2008, which stipulates Dispute Redressal Mechanism.

Learned counsel for the respondent submits that since the Dispute Redressal Mechanism, *inter alia*, includes arbitration, the petitioner should

have filed a petition under the Arbitration & Conciliation Act, 1996.

Learned counsel for the petitioner seeks leave to withdraw the petition with liberty to file an application under Section 11 of the Arbitration & Conciliation Act, 1996.

The petition is dismissed as withdrawn reserving liberty of the petitioner, as prayed for.

SANJEEV SACHDEVA, J

DECEMBER 09, 2016

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