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

+ ARB.P. 61/2017

M/S BKFC AND COMPANY

..... Petitioner

Through: Mr L. B. Rai, Mr Mohit Kumar
Sharma and Mr Gaurav Kumar Rai,
Advocates.

versus

M/S COMMERCIAL ENGINEERING AND BODY
BUILDEES LTD

..... Respondent

Through: Mr Akshay Sapre and Mr Abhijeet
Swaroop, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **08.05.2017**

1. The learned counsel for the respondents states that the Work Order referred to in the petition as well as in the letter of invocation contains a jurisdiction clause whereby the Courts at Jabalpur would have exclusive jurisdiction over the subject matter.
2. The learned counsel for the petitioner states that the disputes sought to be agitated are not in respect of the said Work Order but in respect of a Letter of Intent dated 03.11.2010. He further submits that work order referred to by the respondent, which has inadvertently found reference in the petition as well as in the letter of invocation, was issued after the 12th running bill and the disputes agitated by the petitioner pertain to the 12th running bill and therefore, the same cannot be included in the said Work

Order. He seeks to withdraw the present petition with liberty to issue fresh notice of invocation and approach this Court, if necessary.

3. Dismissed as withdrawn with the aforesaid liberty.

VIBHU BAKHRU, J

MAY 08, 2017
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