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

+ **O.M.P.(I) (COMM.) 5/2017**

GRAPHITE INDIA LIMITED

..... Petitioner

Through: Mr Rajiv Nayar, Senior Advocate
with Mr Sanjeev Kapoor, Mr Rajat
Jariwal and Mr Aakash Bajaj,
Advocates.

versus

SPML INFRA LIMITED & ANR.

..... Respondents

Through: Mr Anand Shankar Jha nad Mr
Mohammad Ali, Advocate for R-
2/ICICI Bank Ltd.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **21.03.2017**

IA No.169/2017

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

O.M.P.(I) (COMM.) 5/2017

3. Respondent no.1 has been served. However, none appears for respondent no.1. In the circumstances, the interim order passed on 06.01.2017 shall continue till further orders are passed by the Arbitral Tribunal.
4. The petitioner shall take effective steps for constitution of the Arbitral

Tribunal within a period of two months from today. It is clarified that the respondent no.1 shall be at liberty to apply to the Arbitral Tribunal, as and when constituted, for vacation/modification of the order dated 06.01.2017.

5. It is further clarified that the Arbitral Tribunal shall consider such application uninfluenced by any observation made in these proceedings.

6. The petition is disposed of.

VIBHU BAKHRU, J

MARCH 21, 2017
MK