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

+ **OMP (ENF.) (COMM.) 11/2017**

SGS WEATHER & ENVIRONMENTAL

SYSTEMS PRIVATE LIMITED

..... Petitioner

Through: Dr. A.N.Aggarwala and Ms.
Swaralipi Deb Ray, Advocates.

versus

INDIA METEOROLOGICAL DEPARTMENT Respondent

Through: Mr. Praveen Kumar Jain and Mr.
Jatin Khari, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **23.01.2017**

IA No. 882/2017

Allowed, subject to all just exceptions.

The application stands dismissed.

OMP (ENF.) (COMM.) 11/2017

This is petition filed under Section 36 of the Arbitration and Conciliation Act, 1996 (thereafter 'the Act') seeking enforcement of the Arbitral Award dated 27.06.2016.

The respondent has preferred a petition for setting aside the said award under Section 34 of the Act. Therefore, the present petition is not maintainable at this stage in view of the decision of the Division Bench of this Court in **FAO(OS) No.221/2016 (ARDEE Infrastructure Pvt. Ltd v. Ms. Anuradha Bhatia)**.

In the circumstances, the learned counsel for the respondent seeks to withdraw this petition with liberty to file afresh subject to the outcome of the respondent's petition under section 34 of the Act.

The petition is dismissed as withdrawn with the aforesaid liberty.

VIBHU BAKHRU, J

JANUARY 23, 2017

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