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

+ RFA(OS) 16/2015 & CM No.1831/2015

VIRTUAL STUDIO PVT LTD

..... Appellant

Represented by: Ms.Deepika V. Marwaha and
Ms.Worthing Kasar, Advs.

versus

TMT INVESTMENTS PTE LTD & ORS

..... Respondents

Represented by: Mr.Hrishikesh Baruah,
Mr.Vivek Malik, Mr.Mukul
Thakur and Mr.Prnava Jain,
Advs.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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18.01.2017

1. In view of Section 50 of the Arbitration and Conciliation Act, 1996 and the decision of this Court (2011) 2 Arb LR 73 (DB) *Saipem Triune Engineering Pvt. Ltd. V. Indian Oil Petronas Pvt. Ltd.* the learned counsel for the appellant seeks leave to withdraw the appeal so that the appellant can avail the remedy of a petition seeking special leave to appeal before the Supreme Court laying a challenge to the impugned order.

2. Needless to state the instant appeal is not maintainable. The appellant needs no liberty to be granted by this Court to approach the Supreme Court for the reason as per Division Bench of this Court, this will be right of the appellant.
3. The appeal is dismissed as withdrawn.
4. No costs.
5. Dasti under signature of the Court Master today itself to learned counsel for the appellant.

PRADEEP NANDRAJOG, J

YOGESH KHANNA, J

JANUARY 18, 2017
VLD