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

+ O.M.P. 238/2010

OM PARAKSH MAHESHWARI & ANR Petitioners

Through: Mr.Dinesh Mohan Sinha, Adv.

versus

DELHI JAL BOARD & ORS

..... Respondents

Through: Ms.Rukmini Gupta proxy counsel.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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14.11.2017

I.A. No.4232/2017 (delay)

This is an application seeking condonation of delay in re-filing of the application.

For the averment made in the application, the same is allowed.

The application stands disposed of.

I.A. No.4231/2017 (restoration)

This is an application seeking restoration of the petition which was dismissed for non-prosecution by this Court vide order dated 18.01.2017. It is submitted that cross objections filed by the respondent in OMP No.286/2010 are pending and in fact transferred to the Court of District Judge (West), Tis Hazari Courts, Delhi and it is informed that same are re-numbered as Arbitration Petition No.9/2017. It is further submitted that the petitioner had earlier moved an application seeking early hearing of the petition, however, the same was dismissed by this Court. The petitioner has, therefore, been diligent in prosecution of the case.

In view of the submission made, the application is allowed and the petition is restored back to its original number.

O.M.P. 238/2010

Learned counsel for the parties submit that earlier this petition was being taken up with OMP No.286/2010 which are cross objection filed by the respondent/Delhi Jal Board. It is further submitted that the pecuniary valuation of the objection would be below Rs.1 crore and it would be in the interest of justice that both the petitions are heard together.

In view of the submission made, present petition is transferred to the Court of District Judge (West), Tis Hazari Courts, Delhi to be heard along with the Arbitration Petition No.9/2017 titled ***Delhi Jal Board & Anr. v. Om Paraksh Maheshwari & Anr.***, which was numbered as OMP No.286/2010 while it was pending in this Court.

Parties are directed to appear before the Court of District Judge (West), Tis Hazari Courts, Delhi on 6th December, 2017.

NAVIN CHAWLA, J

NOVEMBER 14, 2017/vp