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

+ ARB.P. 286/2017 and IA No. 5174/2017 (for condonation of delay in re-filing) & 6571/2017 (for dismissal of the present petition)

MAMAN SINGH & ORS. Petitioners
Through Mr. Pawan Kumar, Adv.

versus

RAKESH GUPTA & ANR. Respondents
Through Ms.Nandita Abrol and Ms.Vrishti
Gupta, Adv.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

% **ORDER**
21.07.2017

This petition is filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an arbitrator.

Learned counsel for the respondents has argued that as per the arbitration clause between the parties which is stipulated in the agreement to sell dated 09.12.2015, the nominee of the buyer(respondent) was to be the sole arbitrator. She submits that accordingly, the respondent has appointed Sh.S.K.Kaushik (Retd.) ADJ as the sole arbitrator. She further submits that the petitioner has also moved an application under Section 12 of the Arbitration Act before the learned Arbitrator.

Learned counsel for the petitioner, at this stage, submits that he would like to withdraw the present petition with liberty to press his application under Section 12 of the Arbitration Act before the learned Arbitrator.

Accordingly, the present petition is dismissed as withdrawn with liberty as sought for.

All pending applications also stand dismissed.

Dasti.

JAYANT NATH, J

JULY 21, 2017

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