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

+ **O.M.P.(I) (COMM.) 488/2016**

HYDAC (INDIA) PRIVATE LIMITED

..... Petitioner

Through Mr Sunil Fernandes, Ms Mithu Jain and
Mr Puneeth K.G. Advocates.

versus

INOX WIND LIMITED

..... Respondent

Through Mr sudhir Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **03.03.2017**

1. The petitioner has filed the present petition under Section 9 of the Arbitration and Conciliation Act, 1996 (hereafter 'the Act'), *inter alia*, praying that the respondent be directed to deposit the amount of ₹8,23,70,758/- or furnish a bank guarantee of the aforesaid amount to secure the amount in dispute.

2. The arbitral tribunal has been constituted by a separate order passed in a petition filed by the petitioner under Section 11 of the Act (ARB. P.No.812/2016). It would, therefore, be apposite that the present petition be considered by the arbitral tribunal as an application under Section 17 of the Act and an appropriate orders are passed thereon.

3. The petitioner shall take steps to place the present petition as an

application under Section 17 of the Act before the arbitral tribunal and the arbitral tribunal is required to dispose of the same as expeditiously as possible preferably within a period of three months from today.

4. The petition is disposed of.

MARCH 03, 2017

pkv

VIBHU BAKHRU, J