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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(I) (COMM.) 360/2017 & I.A.10678/2017 (for exemption)
PROGRESSIVE INFOTECH PRIVATE LIMITED Petitioner
Through: Mr.R.K.Gupta and Mr.Amit Goel,
Advocates
versus

PRASAR BHARTI Respondent
Through: Ms.Radha Lakshmi, Advocate

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
% **14.09.2017**

The petitioner by this petition under Section 9 of the Arbitration and Conciliation Act, 1996 seeks a restraint on the respondent from invoking bank guarantee dated 30.10.2013.

Learned counsel for the respondent submits that the bank guarantee has already been invoked and the petition is accordingly infructuous.

Learned counsel for the petitioner seeks leave to withdraw the petition with liberty to file a fresh petition challenging the invocation of the bank guarantee.

In view of the above, the petition along with the pending application are dismissed as withdrawn with liberty as prayed for.

SANJEEV SACHDEVA, J
SEPTEMBER 14, 2017/rb