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

+ CM(M) 1063/2017

SANGAR OVERSEAS

..... Petitioner

Through: Mr. Ashish Upadhyay, Adv.

Versus

GOVIND DAS CHANDAK

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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22.09.2017

CMs No.34828-29/2017 (both for exemptions)

1. Allowed, subject to just exceptions.
2. The applications are disposed of.

CM(M) 1063/2017 & CM No.34827/2017 (for stay)

3. This petition under Article 227 of the Constitution of India impugns the order [dated 21st July, 2017 in CS No.568/2017 of the Court of Additional District Judge-05 (ADJ), South-East District, Saket Courts, New Delhi] of dismissal of the application filed by the petitioner / defendant under Section 8 of the Arbitration and Conciliation Act, 1996.
4. Per Section 37(1)(a) of the said Act, the refusal to refer the parties to arbitration under Section 8 of the Act is appealable.
5. The counsel for the petitioner / defendant on enquiry as to why he has filed this petition states that though he was a little confused of the remedy against such an order but his senior Mr. H.P. Sharma, Advocate advised him to file this petition.

Dismissed.

No costs.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 22, 2017/‘gsr’..