

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

ARB No.156-2017

Date of decision : 25.5.2018

M/s Five Rivers Logistics Pvt. Ltd.

..... Petitioner

VERSUS

M/s Jindal Steel & Power Ltd.

..... Respondent

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL,
ACTING CHIEF JUSTICE**

Present: Mr.Gaurav Tangri, Advocate for the petitioner.
Mr.Anshuman Sharma and Mr.Vishal Gupta,
Advocates for the respondent.

AJAY KUMAR MITTAL, ACJ.

1. The petitioner has invoked the jurisdiction of this Court under Section 11(6) of the Arbitration & Conciliation Act, 1996 (in short, the Act of 1996') for appointment of an Arbitrator to adjudicate the dispute between the parties.

2. Learned counsel for the respondent raised three fold submissions as under:

(a) Firstly, it was alleged that the Court at Delhi would have the jurisdiction in terms of clause 17 of the agreement;

(b) Secondly, it was alleged that the petitioner is not authorised person to file the present petition;

(c) Thirdly, there is inter-se dispute between the Management of the petitioner and not connected with the respondent-company and, therefore, no Arbitrator could be appointed.

3. Learned counsel for the petitioner, however, did not dispute that in terms of clause 17 of the agreement, the Courts at Delhi would have the jurisdiction.

4. In view of the above, learned counsel for the petitioner states that he may be allowed to withdraw the present petition with liberty to approach the appropriate Court for the redressal of its grievance, in accordance with law.

Dismissed as withdrawn.

It shall, however, be open for the petitioner to take recourse to the remedies as may be available to it, in accordance with law.

Needless to say that anything expressed hereinabove shall not be taken to be an expression of opinion on the merits of the controversy.

May 25, 2018
KD

(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes / No