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

+ **FAO(OS) (COMM) 25/2018**

ECONOMIC TRANSPORT ORGANISATION Appellant

Through **Mr. Sujeet Kumar Mishra, Advocate**

versus

SPELNDOR BUILDWELL PVT LTD Respondent

Through

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE R.K. GAUBA

ORDER

% **09.02.2018**

CM.APPL 4991/2018(Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

FAO(OS) (COMM) 25/2018

This is an appeal filed by the appellant under Section 37 of the Arbitration and Conciliation Act, 1996 read with Section 13 of the Commercial Courts Act, 2015 and Section 10 of the Delhi High Court Act against the impugned order dated 04.12.2017 passed by the learned Single Judge in OMP(T) (COMM).98/2017.

After some hearing in the matter, learned counsel for the appellant wishes to withdraw the appeal. He submits that since the Award has already been rendered, he would raise all grounds as available to him in accordance with law and all the grounds as raised in the present petition at the time of challenge of the Award of the learned Arbitrator before the learned Single Judge.

The appeal is accordingly dismissed as not pressed. Leave, as prayed, is granted.

We make it clear that any of the observations made by the learned Single Judge in the impugned order would not come in the way of the appellant at the time of hearing of objection to the Award before the learned Single Judge.

The appeal stands disposed of.

G.S.SISTANI, J

R.K. GAUBA, J

FEBRUARY 09, 2018

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FAO(OS) (COMM) 25/2018