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

+ C.R.P. 32/2018 & CM Nos. 7083-84/2018

DELHI POLICE EMPLOYEE CO-OPERATIVE GROUP

HOUSING SOCIETY LTD AND ORS

..... Petitioners

Through: Mr. Tarun Kr. Tiwari & Mr. Vijay Kr.
Sharma, Advocates.

versus

RAMESH KR KAUSHIK AND ORS

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **23.02.2018**

After some hearing, the counsel for the petitioner submits that he may be allowed to withdraw the present petition and the applications filed therewith and instead approach the Civil Judge by way of review application pointing out specifically the provision contained in Section 70 and Section 132 of Delhi Cooperative Societies Act, 2003 whereunder the dispute which is brought to the Civil Court is subject matter of arbitration and there is a statutory bar against the Civil Court from entertaining such case.

Though it is the contention of the Counsel that he had pointed out the said provision of law to the Civil Judge, the impugned order is conspicuously silent in that regard. Thus, while the petition and the applications are dismissed as withdrawn and liberty as prayed, is granted, it

is directed that the Civil Judge will pass a detailed order upon such application for review being filed dealing with the issues raised in light of the aforementioned statutory provision.

R.K.GAUBA, J.

FEBRUARY 23, 2018

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