

\$~21

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(I) (COMM.) 160/2018
IL & FS ENGINEERING & CONSTRUCTION COMPANY LTD
..... Petitioner
Through: Mr.Ritin Rai, Mr.Abhishek Singh,
Ms.Priyadarshinee Singh, Mr.A.Mishra, Advs.

versus

PASCHIMANCHAL VIDYUT VITARAN NIGAM LTD
..... Respondent
Through: Mr.Vivek Narayan Sharma,
Mr.S.Mahajan, Mr.Shoaib Haider, Mr.Shubham
Awasthi, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **24.04.2018**

Counsel for the respondent has handed over copy of an Office Memorandum dated 19th April, 2018 whereby Justice Deepak Verma, Retired Judge of the Supreme Court has been appointed as a nominee Arbitrator on behalf of the respondent. With this appointment, the Arbitral Tribunal stands re-constituted.

Counsel for the petitioner submits that the petitioner has to participate in a tender, the last date of submission of which is 30th April, 2018. He further submits that he has made a request to the Arbitral Tribunal to consider the petitioner's application under Section 17 of the Arbitration and Conciliation Act, 1996 before 30th April, 2018. It is hoped that the Arbitral Tribunal will consider this request of the petitioner.

In view of the above, counsel for the petitioner prays for leave

to withdraw the present petition with liberty to file afresh in case the Arbitral Tribunal is not able to hold its sitting before 30th April, 2018.

The petition is dismissed as withdrawn with liberty as prayed for.

NAVIN CHAWLA, J

APRIL 24, 2018
RN