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

+ **FAO(OS) (COMM) 226/2018 & CM Nos.41087-88/2018**

CASTMASTER MOBITEC INDIA PVT LTD..... Appellant

Through : **Dr. Arun Mohan, Sr. Adv. with
Mr. Saurabh Jain, Ms. Sarika
and Mr. Kuber Giri, Adv.**

versus

DELHI TRANSPORT CORPORATION Respondent

Through : **Mrs. Avnish Ahlawat, Standing
Counsel with Mr. Nitish Singh
and Ms. Palak Rohmetra, Adv.
for DTC.**

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **03.10.2018**

It is stated that the appellant has urged the question, which is sought to be agitated in the present appeal, in the review proceedings as well. In these circumstances, this court is of the opinion that the appellant should not pursue its appellate remedy but rather approach this court, having regard to the final decision in the review proceedings.

It is clarified that in the event the appellant's plea is not accepted by the learned Single Judge on the questions urged in this appeal (i.e. whether permission was sought and given by the statutory

authorities for the advertisement which forms the subject matter of the arbitral proceedings), that issue would be examined on the merits in the appeal as well.

This appeal is accordingly dismissed as withdrawn but with liberty as stated above. The pending applications also stand dismissed.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

OCTOBER 03, 2018

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