

\$~3

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

+ ARB.P. 363/2018

CROWN CONSTRUCTION Petitioner
Through Ms. Afshan Pracha, Adv.

versus

AATMOSFERA DI VITA PVT. LTD Respondent
Through Mr. Vinod Bhardwaj and Mr. Rahul
Sharma, Adv.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER
% **19.07.2018**

1. The record shows that a legal notice dated 1.2.2018 does not trigger the arbitration clause obtaining between the parties as adverted to in the Agreement dated 7.6.2017 obtaining between the parties.
2. In these circumstances, counsel for the petitioner firm seeks to withdraw the captioned petition with liberty to re-file the petition after appropriate steps are taken in the matter.
3. Accordingly, at request, the petition is dismissed as withdrawn with liberty as prayed for.

IA No.9318/2018

4. This is an application which has been filed by, one, Mr. Shahjeb, who claims to be the partner of the petitioner firm.
5. Via this application, Ms. Shahjeb seeks to withdraw the main petition, which, as noted above, stands dismissed as withdrawn.
6. The reason given is that the petitioner firm has settled their disputes

with the respondent by entering into a Settlement Agreement dated 16.7.2018.

7. A copy of the Settlement Agreement is also appended to the application.

8. Ms. Pracha, who appears for the petitioner firm says that Mr. Shahjeb has no authority to act on behalf of the petitioner firm.

9. In view of the fact that the main petition has been withdrawn, at this stage, no order is called for in the captioned application.

10. Accordingly, the application is closed.

11. Needless to say, the petitioner firm will take into account the assertions made in the application, in case a fresh petition under Section 11 of the Arbitration and Conciliation Act, 1996 is preferred by it.

RAJIV SHAKDHER, J

JULY 19, 2018

rb