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

+ O.M.P. (I) 286/2015 & IA 3961/2016

S.P. CONTRACTS PVT. LTD. Petitioner

Through: Mr.Manjit Singh Ahluwalia, Adv.

versus

A.N. BUILD WELL PVT. LTD.

.... Respondent

Through: nemo

(26) ✓ ARB. P. 619/2015 & IA 3960/2016

S.P. CONTRACTS PVT. LTD. Petitioner

Through: Mr.Manjit Singh Ahluwalia, Adv.

versus

A.N. BUILDWELL PVT. LTD.

.... Respondent

Through: Nemo

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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16.03.2018

Counsel for the petitioner submits that the respondent company is under liquidation and an Official Liquidator has been appointed.

In view of the above, the present petition would no longer be maintainable without the leave of the Company Court. The present petitions are disposed of, granting liberty to the petitioner to file its claim before the Official Liquidator appointed by the Company Court.

This Court vide its order dated 11th October, 2017 had passed the following direction:-

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"Till the next date of hearing, the respondent/Official Liquidator will ensure that the equipments which as per the petitioner are lying at Spire Woods, Sector 103, Gurgaon as detailed in page 7 of IA No. 3961/2017 shall not be sold or parted with possession from the said premises."

The interim order shall continue for a further period of four weeks to enable the petitioner to take appropriate steps and/or seek release of the equipment from the Company Court.

In view of the above, there would be no occasion to appoint a substitute Arbitrator for adjudicating the disputes that have arisen between the parties. Liberty is granted to the petitioner to approach the Company Court even in this regard.

The petitions and applications are disposed of in the above terms.

Dasti.


NAVIN CHAWLA, J

MARCH 16, 2018
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