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

+ O.M.P.(T) 6/2017, IA 6387/2017

JAGUAR FARMS PVT. LTD. & ORS. Petitioners

Through: Mr. Tanmaye Mehta with
Ms. Mallika Bhatia, Mr. Anurag
Sarag, Mr. Siddhant Singh &
Mr. Amrish Gupta, Advs.

versus

BDR BUILDERS AND DEVELOPERS PVT. LTD.

..... Respondent

Through: Mr. Sanjay Goswami, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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03.10.2018

1. There are two prayers made in the petition. According to Mr. Mehta, prayer (a) stands satisfied as Mr. R.K. Mishra, who was acting as the Arbitrator, has chosen to withdraw from the proceedings.

2. Insofar as prayer (b) is concerned, Mr. Mehta says that he does not wish to press the same as in another arbitration proceeding between the parties herein are on which may impact prayer (b).

3. In these circumstances, Mr. Mehta says that the petition may be closed, for the moment, with liberty to revive the same if necessary.

4. Accordingly, the petition is closed insofar relief sought in prayer clause (b) is concerned.

4.1 Needless to say, as and when the petition is sought to be

revived, notice will be given to the respondent as well as to its counsel.

5. I may also note that it is Mr. Goswami's contention that the other arbitration which is presently on between the parties herein has nothing to do with the subject matter covered by the instant petition.

5.1 This aspect should be examined if and when an attempt is made by the petitioner to reopen the instant petition.

6. It is however made clear that if the respondent wishes to appoint an Arbitrator in connection with instant proceeding, it will give one week's prior notice to the petitioner.

7. Accordingly, the pending interim application shall also stand closed.

RAJIV SHAKDHER, J

OCTOBER 03, 2018

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