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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(I) (COMM.) 229/2017**
SIMPLOT INDIA FOODS PVT.LTD.

..... Petitioner

Through Ms. Madhu Swati, Adv.

versus

HIMALYA INTERNATIONAL LIMITED

..... Respondent

Through Mr. Puneet Tyagi and Mr. Aviral
Dhirendra, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **06.12.2018**

I.A. No.16679/2018

1 Issue notice. Ms. Madhu Swati accepts notice on behalf of the non-applicant/petitioner. Learned counsel says that she does not wish to file a reply in view of what is to be noted hereafter:

2 Learned counsel for the applicant/respondent says that the Section 9 Petition filed under the Arbitration and Conciliation Act, 1996, by the non-applicant/petitioner has been rendered infructuous for two reasons: (i) firstly, on account of order dated 09.10.2018, passed by the Singapore International Arbitration Centre (in short 'SIAC') and (ii) secondly, on account of the applicant/respondent giving up on abandoning/withdrawing the Scheme of Arrangement, which was preferred before the NCLT, Delhi Bench.

3 Ms. Madhu Swati, who, appears on advance notice on behalf of the non-applicant/petitioner, affirms the fact that SIAC has passed the

aforementioned order. Learned counsel says that she has no objection to the prayer being allowed. It is ordered accordingly.

4 The application is disposed of in the aforesaid terms.

O.M.P.(I) (COMM.) 229/2017, I.A. Nos. 2824/2018, 5970/2018, 7306/2018 & 7979/2018 & CCP (O) 42/2017

5 In view of the order passed in I.A. No.16679/2018, nothing survives in the Section 9 petition and the same is, accordingly, disposed of.

6 Consequently, all pending applications as also the Contempt Petition shall stand closed.

RAJIV SHAKDHER, J

DECEMBER 06, 2018

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