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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **OMP (ENF.) (COMM.) 164/2016**
SHARMA ENTERPRISE Decree Holder
Through: Ms.Nikita Salwan, Adv.
versus
NATIONAL BUILDINGS CONSTRUCTION
..... Judgment Debtor
Through: Mr.Manoj K. Das, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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05.03.2018

This Execution Petition has been filed by the petitioner seeking execution of the Arbitral Award dated 28.07.2016 passed by the Sole Arbitrator.

In EFA (OS) (COMM) 6/2017, the Division Bench of this Court has held that the arbitration proceedings between the parties would be governed by the Arbitration Act, 1940 and not by the Arbitration and Conciliation Act, 1996. The petitioner has challenged the said order before the Supreme Court by way of SLP (C) Diary No(s). 25959/2017 and notice on the said petition was issued to the respondent vide order dated 04.01.2018.

In view of the above, the learned counsel for the petitioner prays for leave to withdraw the present petition with liberty to file a fresh petition, subject to the outcome of the SLP which is pending before the Supreme Court.

The execution petition is dismissed as withdrawn with liberty as prayed for.

NAVIN CHAWLA, J

MARCH 05, 2018/rv