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

+ **ARB. A. (COMM.) 64/2018**

UNION OF INDIA REPRESENTED BY DGMAP..... Appellant

Through Ms. Monika Arora, CGSC, Legal
Consultant with Mr. Harsh Ahuja,
Mr. Kushal Kumar and Ms. Vibha
Tripathi, Advs.

versus

DHOOT DEVELOPERS PVT,LTD.(JV) Respondent

Through Mr. S.K. Maniktala, Mr. Nikhil
Ramdev, Mr. Udit Maniktala and Mr.
Virender Pankaj, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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17.12.2018

I.A. 17316/2018

1. Allowed, subject to just exceptions.

ARB. A. (COMM.) 64/2018 & I.A. 17315/2018 & I.A. 17317/2018

2. This is an appeal preferred under Section 37(2) of the Arbitration and Conciliation Act, 1996 (for short '1996 Act').

3. Via the impugned order, the learned Arbitrator has ruled upon the application filed by the appellant under Section 23(3) of the very same Act.

3.1 The application which was filed by the appellant was for amendment of the statement of claim.

3.2 The application has been partially allowed by the learned Arbitrator.

4. Being aggrieved, the appellant has preferred the instant appeal.
5. According to me, the appeal under Section 37(2) of the 1996 Act is not available against the impugned order.
6. At this stage, learned counsel for the appellant seeks to withdraw the appeal and assail, if necessary, the impugned order in accordance with law at the appropriate stage.
7. The appeal is dismissed as withdrawn with liberty as prayed for, *albeit*, in accordance with law.
8. Pending applications shall also stand closed.

RAJIV SHAKDHER, J

DECEMBER 17, 2018
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