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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ O.M.P.(I) (COMM.) 402/2018

KANODIA INFRATECH LIMITED Petitioner

Through: Ms.Vibha Datta Makhija, Sr. Adv. with
Mr.Praveen, Mr.Pankaj Pandey, Mr.Girish
Tripathi, Mr.A.Singh, Mr.Nushit Shah, Advs.

versus

OCL INDIA LIMITED Respondent

Through: Mr.Sudhir Nandrajog, Sr. Adv. and
Mr.Kirti Uppal, Sr.Adv. with Mr. Tarun Singla,
Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **23.10.2018**

Learned senior counsels appearing for the parties submit that the Arbitrator has entered reference and has fixed 30.10.2018 as the next date of hearing for further proceedings.

In view of the above, learned senior counsel for the petitioner prays for leave to withdraw the present petition with liberty to file the same in form of an application under Section 17 of the Arbitration and Conciliation Act, 1996 before the Arbitrator. She submits that such application shall be filed within two days.

Learned senior counsels appearing for the respondent assure that reply to such application shall be filed before 30.10.2018 and no adjournment shall be taken before the Arbitrator on that date.

In view of the above, the petition is dismissed as withdrawn with liberty to the petitioner to file an appropriate application before the

Arbitrator.

It is made clear that this Court has not expressed any opinion on the merits of the claim of either party. The respondent shall be equally entitled to file any appropriate application before the Arbitrator, if so advised.

NAVIN CHAWLA, J

OCTOBER 23, 2018
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