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

+ **ARB.P. 723/2017**

M/S. GURUNANAK ENGINEERING SERVICES Petitioner

Through: **Mr.Rohit Kumar, Adv.**

versus

DAYAL SINGH COLLEGE

..... Respondent

Through: **Mr.A.P.S. Ahluwalia, Sr. Adv. with
Mr.S.S. Ahluwalia & Mr.Jatin Teotia,
Advs.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **20.02.2018**

The present petition under Section 11 of the Arbitration and Conciliation Act, 1996 has been filed by the petitioner seeking appointment of an Arbitrator relying upon Clause 8 of the Agreement dated 17.06.2009 executed between the parties.

The learned senior counsel for the respondent has raised a preliminary objection to the effect that Clause 8 of the Agreement is not an Arbitration Agreement between the parties.

In view of the above, the learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to seek appropriate remedy against the respondent as may be open in law.

The petition is accordingly dismissed with liberty as prayed for.

NAVIN CHAWLA, J

FEBRUARY 20, 2018/rv