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

+ **ARB.P. 838/2017**

**SARVESH SECURITY SERVICES PVT.
LTD.**

..... Petitioner

Through: Ms Sneha Singh, Advocate.

versus

MEDICAL SUPERINTENDENT

..... Respondent

Through: Mr Ramesh Singh, Standing Counsel
with Mr Chirayu Jain, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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14.03.2018

1. Ms Sneha Singh, the learned counsel appearing for the petitioner states that the petitioner received a letter dated 22.02.2018, whereby the respondent had called upon the petitioner to furnish certain documents.
2. Mr Ramesh Singh, the learned counsel appearing for the respondent submitted that the present petition is premature. He drew the attention of this Court to an order dated 25.10.2017 passed by this Court in ***W.P.(C) 9327/2017*** captioned ***Sarvesh Security Services Pvt. Ltd. v. Medical Superintendent, Babu Jagjivan Ram Memorial Hospital*** and submitted that in terms of the said order, the respondent was required to take an informed decision, which the respondent would. He stated that the petitioner's grievance survives, the petitioner would be at liberty to institute such proceedings as may be available. However, he further stated that recourse to arbitration would not be available to the petitioner as there was no arbitration agreement between the parties.
3. Ms Sneha Singh, the learned counsel appearing for the petitioner

disputes Mr Singh's contention that recourse to arbitration would not be available. She, however, without prejudice to the said contention, seeks to withdraw the present petition with liberty to file afresh, if need so arise.

4. The petition is dismissed as withdrawn with the aforesaid liberty.

VIBHU BAKHRU, J

MARCH 14, 2018

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