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

Date of decision: 11th December, 2019

+ W.P.(C) 4358/2019

ABHISHEK AGGARWAL Petitioner

Through: Mr. Gaurav Rana, Adv.

versus

UNION OF INDIA AND ANR. Respondents

Through: Mr. Jasmeet Singh and Mr. Ripu
Daman Bhardwaj, CGSC with Mr.
Srivats Kaushal, Adv. for respondent
nos. 1 and 2

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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11.12.2019

D.N. PATEL, CHIEF JUSTICE (ORAL)

CM Appl. No. 51920/2019 (restoration)

1. Counsel appearing for the applicant submits that this application has been preferred for restoring the W.P.(C) No. 4358/2019, which was disposed of by this Court vide order dated 30th October, 2019. By the said order, the W.P.(C) No. 4358/2019 was dismissed in default.

2. Counsel appearing for the applicant submits that he is ready and willing to argue the main writ petition. For the reasons stated in this application, this application for restoration is allowed. The order dated 30th October, 2019 passed by this Court in W.P.(C) No. 4358/2019 is recalled. The writ petition is restored at its original number.

3. This application is disposed of.

W.P.(C) No. 4358/2019

1. Having heard counsel for both the sides and looking to the facts and circumstances of the case, it appears that the petitioner has challenged Section 5 of New Delhi International Arbitration Centre Ordinance, 2019 as “unconstitutional”.

2. Counsel appearing for the respondents submits that now the State ordinance has ceased to have any effect as the respondents have brought new Act, namely “New Delhi International Arbitration Centre Act, 2019”; hence, this writ petition has become infructuous.

3. Having heard counsel for both the sides and looking to the facts and circumstances of the case, it appears that now the ordinance is not enforced at all. The new Act i.e. New Delhi International Arbitration Centre Act, 2019, has been brought into force. In view of the above, this writ petition is hereby dismissed. However, liberty is reserved with the petitioner, in case of petitioner wants to challenge any of the provisions of the Act, 2019, in accordance with law before the appropriate forum.

4. With these observations, this writ petition is hereby dismissed.

CHIEF JUSTICE

C.HARI SHANKAR, J.

DECEMBER 11, 2019

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