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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ O.M.P.(I) (COMM.) 158/2019

21 NUPUR FINVEST PVT LTD Petitioner
Through: Mr.P. Nagesh and Mr. Harshal Kumar,
Advocates

versus

FORTUNE INFRAHEIGHT PVT. LTD & ORS. Respondents
Through: Mr.Deepak Biswas, Ms.Reeva Singhal
and Ms.Saumya Dua, Advocates

+ O.M.P.(I) (COMM.) 159/2019

22 NUPUR FINVEST PVT LTD Petitioner
Through: Mr.P. Nagesh and Mr. Harshal Kumar,
Advocates

versus

SHRI ANIL MITHAS & ANR. Respondents
Through: Mr.Deepak Biswas, Ms.Reeva Singhal
and Ms.Saumya Dua, Advocates

+ O.M.P.(I) (COMM.) 160/2019

23 NUPUR FINVEST PVT LTD Petitioner
Through: Mr.P. Nagesh and Mr. Harshal Kumar,
Advocates

versus

SHRI ANIL MITHAS & ANR. Respondents
Through: Mr.Deepak Biswas, Ms.Reeva Singhal
and Ms.Saumya Dua, Advocates

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Through: Mr.P. Nagesh and Mr. Harshal Kumar,
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25 NUPUR FINVEST PVT LTD

..... Petitioner

Through: Mr.P. Nagesh and Mr. Harshal Kumar,
Advocates

versus

FORTUNE INFRAHEIGHT PVT. LTD. & ORS. Respondents

Through: Mr.Deepak Biswas, Ms.Reeva Singhal
and Ms.Saumya Dua, Advocates

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **26.09.2019**

1. After some hearing, learned counsel for the petitioner seeks permission to withdraw these petitions with liberty to approach the learned Arbitrator under Section 17 of the Arbitration and Conciliation Act subject to the condition that the respondent be restrained from disposing of, alienating, encumbering either directly or indirectly or otherwise parting with the possession of the assets to the tune of the claim amount till the Section 17 application is taken up for hearing by the learned Arbitrator.
2. These petitions are disposed of with liberty to the petitioner to approach the learned Arbitrator under Section 17 of the Arbitration and Conciliation Act.
3. The respondents shall not dispose of, alienate, encumber either directly or indirectly or otherwise part with the possession of the assets to the tune of the claim amount in the ordinary course of business such as payment of salary and statutory dues till the application under Section 17 of the Arbitration and Conciliation Act is taken up by the Arbitrator.
4. Learned counsel for the respondents submits that the respondents have objections to the Arbitrator appointed by the petitioner and the respondents would be invoking appropriate legal remedies in accordance with law.


J.R. MIDHA, J.

SEPTEMBER 26, 2019/ds