

CWP-21163-2020

Date of decision : December 09, 2020

SPS INFRABUILD PRIVATE LIMITED
Versus

.....Petitioner

UNION OF INDIA AND OTHERS

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Gaurav Mohunta, Advocate for the petitioner.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

This petition has been filed for quashing of order dated 02.09.2020 (Annexure P1) whereby the petitioner's request for amendment/modification of the amount claimed in the matter of Arbitration/Agreement No. 09/EE/JCD/2014-15, has been rejected by respondent No. 5 – Executive Engineer, Jalandhar Central Division, CPWD. The dispute admittedly stands referred to an Arbitrator on 03.07.2020.

In this view of the matter, learned counsel for the petitioner seeks to withdraw this petition with liberty to approach the Arbitrator for amendment/modification of the amount claimed in terms of Section 23 of the Arbitration and Conciliation Act, 1996.

Accordingly, present petition is dismissed as withdrawn with liberty as aforementioned. It is clarified that there is no expression of opinion on the merits of the matter.

December 09, 2020
rts(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No