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

+ **O.M.P.(I) (COMM.) 319/2019**

M/S JMC PROJECTS (INDIA) LIMITED Petitioner
Through: Mr.Sachin Datta, Sr. Adv. with
Ms.Prity Sharma, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION..... Respondent
Through: Ms.Tanisha Setia for Mr.Sunil Goel,
Adv.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
% **19.02.2020**

1. The present petition under Section 9(ii)(e) of the Arbitration and Conciliation Act was filed in August 2019, seeking directions to the respondent to release the Bank Guarantee bearing No.50/2012 dated 27.08.2012 (Rs. 8,16,02,635/-).
2. Learned Senior counsel for the petitioner submits that since the petitioner has already preferred a petition under Section 11 of the Act seeking appointment of an Arbitrator, which petition is already listed before a Coordinate Bench of this Court on 20.02.2020, he does not press the present petition, he may be granted leave to withdraw the present petition with liberty to make a similar prayer before the learned Arbitrator as and when the arbitration commence.

3. The petition is dismissed as withdrawn with liberty as prayed for.

REKHA PALLI, J

FEBRUARY 19, 2020
gm