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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **OMP(I)(COMM) 286/2020, I.A. 8194/2020**

INOX WIND LTD.

..... Petitioner

Through: Mr. Sandeep Sethi, Sr. Adv. with
Mr. Sudhir Kumar, Mr. Pulkit
Srivastava, Mr. Sumit Gaur and
Ms. Ashna Abrol, Advs.

versus

INDIAN OIL CORPORATION LTD.

..... Respondent

Through: Mr. Divjyot Singh and
Ms. Avsi Malik, Advs.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO
ORDER
% **17.09.2020**

This matter is being heard through video-conferencing.

I.A. 8194/2020 (for exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

OMP(I)(COMM) 286/2020

The present petition has been filed by the petitioner under Section 9 of the Arbitration and Conciliation Act, 1996 with the following prayers:

“In view of the facts and circumstances as stated above, it is most humbly submitted that this Hon'ble Court may graciously be pleased to:

(a) Allow the present Petition thereby directing the Respondent to maintain status quo ante by restoring the sum of Rs.15,08,80,452/- in to the account of the Petitioner for having wrongly and illegally encashed the said two Bank Guarantees vide (i) No. 160378IBGP00033 dated 17.03.2016 for a sum of Rs. 12,54,76,000/- issued against the Work Order No.24688783, and (ii) No.160378IBGP000032 dated 16.03.2016 for a sum of Rs. 2,54,04,452/- issued against the Work Order No. 24688843, so as to enable the smooth operation and working of the Petitioner, and;

(b) Grant ex-parte, ad-interim directions in favour of the Petitioner terms of prayer (a) above and/or;

(c) Pass any other relief(s) and orders, as this Hon'ble Court may deem fit and appropriate in the facts & circumstance of the case and in the interests of justice.”

After some submissions, Mr. Sandeep Sethi, learned Senior Counsel appearing for the petitioner seeks to withdraw the petition to enable the petitioner to take all pleas available, both on facts and in law, before the learned Arbitrator, as and when appointed.

The petition is dismissed as withdrawn.

V. KAMESWAR RAO, J

SEPTEMBER 17, 2020/aky