

Via video conferencing

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IN THE HIGH COURT OF DELHI AT NEW DELHI

ARB.P. 401/2020

WESTFIELD INTERNATIONAL (FZC)

..... Petitioner

Through Ms.Diya Kapur with Ms.Bhagya K
Yadav, Advs.

versus

MKU LTD

..... Respondent

Through Mr.Deepak Anand with Mr.Pramod
Rai, Ms.Hemlata Rawat, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

21.09.2020

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I.A. 8366/2020

1. Allowed, subject to all just exceptions.

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2. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') seeking appointment of an Arbitrator to adjudicate the disputes which have arisen between the parties in relation to an International Representation Agreement executed between them.

3. At the very outset, learned counsel for the petitioner submits that since the petitioner is a company situated in United Arab Emirates, the arbitration sought to be invoked by the petitioner would qualify as an 'international commercial arbitration' under clause 2(f) of the Act. She submits that, therefore, in the instant case, a petition

seeking appointment of an arbitrator under Section 11(6) would need to be filed before the Supreme Court. She, thus, seeks liberty to withdraw the present petition with liberty to file an appropriate petition before the Hon'ble Supreme Court.

4. The petition stands dismissed as withdrawn, with liberty as prayed for.

REKHA PALLI, J

SEPTEMBER 21, 2020

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