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

+ **O.M.P.(I) (COMM.) 327/2020 & I.A. 9005/2020**

**USHA WADHWA**

..... Petitioner

Through: Mr. P.K. Agrawal, Adv. with  
Mr. Tannya Sharma and Ms.  
Deepti Gupta, Advs.

versus

**PUSHPA SHARMA, SOLE PROPRIETOR, PET STORE**

..... Respondent

Through: Mr. Saket Sikri, Adv. with Mr.  
Ajay Pal Singh Kullar, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE C. HARI SHANKAR**

**O R D E R (ORAL)**

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**09.10.2020**

(Video-Conferencing)

**O.M.P.(I) (COMM.) 327/2020**

1. Mr. P.K.Agrawal, learned counsel appearing for the petitioner, does not press the present petition, as he submits that he would be proceeding to initiate, by following due process of law, arbitral proceedings and, thereafter, to move the learned arbitrator under Section 17 of the Arbitration and Conciliation Act, 1996.

2. Leave and liberty to do so, in accordance with law, is reserved with the petitioner.

3. This petition is dismissed as withdrawn.

4. It is made clear that this Court has not expressed any opinion on the merits of the petition and that the withdrawal of this petition shall not inhibit the learned arbitrator from considering any application under Section 17 of the the Arbitration and Conciliation Act, 1996, if moved by the petitioner, on its own merits.

**I.A. 9005/2020 in O.M.P.(I) (COMM.) 327/2020**

5. In view of the order passed in O.M.P.(I) (COMM.) 327/2020, this application does not survive for consideration.

6. The application stands disposed of accordingly.

**OCTOBER 9, 2020**  
*dsn*

**C. HARI SHANKAR, J.**