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

+ **ARB.P. 590/2019**

HARSHA ELECTRICALS Petitioner
Through: Mr.Pradeep Desodya, Adv.
versus

FEDDERS ELECTRIC AND ENGINEERING LIMITED Respondent
Through: Mr.Saad Shervani & Mr.Ytharth
Kumar for IRP of the respondent.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **03.02.2020**

1. This is a petition under Section 11(5) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator.
2. Pursuant to the notice issued by this Court on 17.09.2019, Mr.Abhishek Singh, Advocate had entered appearance on behalf of the respondent on 24.10.2019. He had pointed out that prior to the institution of the present petition, the National Company Law Tribunal, Allahabad Bench had already appointed an Interim Resolution Professional in respect of the respondent/company, and consequently, the matter was adjourned.
3. Today, learned counsel for the petitioner concedes that since the moratorium in terms of Section 14 of the Insolvency & Bankruptcy Act, already set in, the petition is not maintainable.
4. Accordingly, the petition is disposed of with liberty to the petitioner to file a fresh petition, if the need so arises, once the

proceedings before the National Company Law Tribunal have concluded.

REKHA PALLI, J

FEBRUARY 03, 2020
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