

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

COMMERCIAL ARBITRATION PETITION NO. 513 OF 2021

Capacite Infraprojects Ltd.

...Petitioner

Vs.

Radius Sumer Developers Pvt. Ltd.

..Respondents

Mr. Dhruva Gandhi with Mr. Vaibhav Warekar and Mr. Toufiq Kapadia i/
b. M. Mulla Associates for Petitioner.

CORAM : G.S. KULKARNI, J.

DATE : JUNE 21, 2022.

P.C.:

1. Learned counsel for the petitioner seeks leave to withdraw this petition with liberty to file a fresh petition or appropriate proceedings as and when the need so arises.
2. The petitioner would be fair in doing so, as it is quite clear that this petition was filed on 10 March, 2021, since then no orders were passed on this petition, as also the arbitration agreement has not been invoked so far.
3. Accordingly, the petition is allowed to be withdrawn with liberty as prayed for.
4. All contentions of the parties are expressly kept open.
5. Disposed of. No costs.

[G.S. KULKARNI, J.]