

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO.33 OF 2024

M/s. Giriraj Realtors

... Petitioner

V/s.

Khushali Developers & Ors.

... Respondents

Mr. Jayesh M. Joshi for the Petitioner.

None for the Respondents.

CORAM : ARIF S. DOCTOR, J.

DATE : 1ST JULY 2024

P.C. :

1. The Learned Counsel appearing on behalf of the Petitioner today seeks leave to withdraw captioned Arbitration Petition with liberty to file the same afresh after invoking arbitration in the manner as contemplated under Section 11 read with Section 29A of the Arbitration & Conciliation Act, 1996. He submits that the previous arbitrator, who was appointed by this court had recused himself. He then placed reliance upon a judgement of the Hon'ble Supreme Court in the case of *Huawei Technologies Company Limited Vs. Sterlite Technologies Limited*¹ to submit that since the contract in the present

1 (2016) 1 SCC 721

case is similar to the one in which the Hon'ble Supreme Court had occasioned to deal with an aforesaid case. It is thus he seeks liberty to withdraw the captioned Arbitration Petition.

2. Hence, the captioned Arbitration Petition is thus dismissed as withdrawn with liberty to file the same afresh.

(ARIF S. DOCTOR, J.)