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

+ **O.M.P.(I) (COMM.) 65/2024 & I.A. 6208/2024**

KLB KOMAKI PVT LTD

.....Petitioner

Through: **Mr. Manan Bhalla and Mr. Sidhant Awasthy, Advocates.**

versus

ROMESH GUPTA & ANR.

.....Respondents

Through: **Respondent No.1, in person.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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26.07.2024

1. In the order dated 04.03.2024, a without prejudice suggestion of the petitioner was recorded, to which respondent No.1, who is also a director of respondent No.2, appearing in person, had expressed his agreement. The parties were referred to mediation to finalise the settlement, but they were unable to do so.
2. Respondent No.1 is present today and submits that he is still amenable to the submissions recorded in the said order. However, Mr. Manan Bhalla, learned counsel for the petitioner, is instructed that the petitioner is no longer willing to abide by the offer recorded therein.
3. In the order dated 11.07.2024, it was also recorded that the petitioner would be satisfied with a reference to arbitration, leaving it open to him to request for interim relief before the learned Arbitrator.
4. Having regard to this position, the present petition, alongwith

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pending applications is disposed of, leaving it open to the parties to take their remedies under the contract, in accordance with law.

5. It is made clear that this Court has not adjudicated upon the respective rights and contentions of the parties, even on a *prima-facie* basis.

PRATEEK JALAN, J

JULY 26, 2024
SS/