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

+ **O.M.P.(I) (COMM.) 143/2023**

BLUE SAPPHIRE HEALTHCARES PRIVATE LIMITED

..... Petitioner

Through: Mr. Vipul Kumar, Advocate.

versus

RPS INFRASTRUCTURE LIMITED AND ORS Respondents

Through: Mr. Shobhit Shukla, Advocate for R-1.

Ms. Sonam Priya, Advocate for respondents Nos. 5, 6 & 8.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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22.05.2024

I.A. 30163/2024

By way of the present application filed under section 30(2) of the Arbitration & Conciliation Act 1996 read with Order XXIII Rule 3 read with section 151 of the Code of Civil Procedure, 1908 jointly by the petitioner and respondents Nos.2, 5, 6, 8, 9, 10 and 11, the petitioner seeks leave to withdraw the present petition and to place on record certain agreements and documents, as detailed in the application.

2. Issue notice.



3. Learned counsel appear on behalf of respondents Nos. 1, 5, 6 and 8 on advance copy; accept notice; and do not oppose the prayer made.
4. It is noticed however that though there are a total of 11 respondents in the present petition, the application has been signed by the petitioner and only by respondents Nos. 2, 5, 6, 8, 9, 10 and 11.
5. Furthermore, learned counsel appearing for the parties also confirm that the agreements, which the petitioner seeks to place on record, namely (i) the Definite Agreement dated 09.02.2024, (ii) Term Sheet dated 01.03.2024, (iii) Share Purchase Agreement dated 28.03.2024, (iv) Additional Warranties dated 28.03.2024; and (v) Disclosure Letter dated 28.03.2024 have been executed only between the petitioner and respondents Nos. 2, 5, 6, 8, 9, 10 and 11.
6. All parties to the present proceedings have not signed the aforesaid documents.
7. In the circumstances, the present application is allowed to the following *limited* extent :
 - 7.1. The agreements and documents as referred to above are taken on record, without however the court making any observation or expressing any opinion thereon.
 - 7.2. It is directed that the petitioner and respondents Nos. 1, 5, 6 and 8, who are represented in court today, shall remain bound by the terms of those agreements and documents, as has been confirmed by learned counsel appearing for those parties.
8. The petitioner is granted leave to withdraw the present petition.
9. Accordingly, the application is disposed-of.



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10. The petition is disposed-of as withdrawn in the above terms.
11. Pending applications, if any, are also disposed-of.
12. The date of 23.08.2024 given earlier stands cancelled.

ANUP JAIRAM BHAMBHANI, J

MAY 22, 2024/V.Rawat