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

+ **O.M.P. (T) (COMM.) 75/2022**

ANGLE INFRASTRUCTURE PVT LTD

..... Petitioner

Through: Mr Ramesh Singh, Sr. Adv. with Ms
Saheena Taqui, Ms Bina Gupta, Ms
Akansha Saini, Mr Shiv Vinayak
Gupta and Ms Hage Nanya, Adv.

versus

MS CAPITAL BUILDERS PVT LTD & ORS. Respondents

Through: Mr Abhinav Sharma, Adv. for R-1.
Mr Kunal Kher, Adv. for R-3.
Mr Parveen Bhati, Adv. for R-4.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

27.02.2024

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1. The order passed today is in continuation of the order passed on 24.01.2024.
2. Respondent No.3 has filed an affidavit in terms of the order dated 24.01.2024 indicating that respondent No.3 has no objection to the Sole Arbitrator continuing with the arbitration proceedings and he would not raise objection under Entry 16 of 7th Schedule of the Arbitration and Conciliation Act, 1996.
3. The affidavit filed by respondent No.3 is in compliance of Proviso to Section 12(5) of the Arbitration & Conciliation Act, 1996.
4. Mr Bhati, learned counsel appears for respondent No.4. Since



respondent No. 2 and 4 has been proceeded *ex-parte* before the Arbitral Tribunal and the *ex-parte* proceedings have not been set aside, there is no requirement of an affidavit from respondent Nos.2 and 4.

5. In view of the affidavit of respondent No. 3 and the statement made by Mr Kher, learned counsel on behalf of respondent No.3, Mr Singh, learned counsel for the petitioner does not press the present petition.

6. The petition is disposed of accordingly.

JASMEET SINGH, J

FEBRUARY 27, 2024

sr

Click here to check corrigendum, if any