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

+ O.M.P.(I) (COMM.) 341/2022 & I.A. 19737/2022

RANJIT CONSTRUCTION COMPANY

..... Petitioner

Through: Mr. Subhash Chawla, Advocate.

versus

GUJRAT STATE ROAD AND BUILDING DEPTMENT & ORS.

..... Respondents

Through: Mr. Ripin Sood, Advocate.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

30.01.2024

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The court is informed that *vide* judgment dated 10.07.2023 made in ARB. P. No. 1252/2022 titled *M/s Ranjit Construction Company vs. Gujarat State Road & Building Department & Ors.*, a learned Sole Arbitrator has been appointed in relation to the disputes between the parties that are subject-matter of the present petition.

Arbitration proceedings are stated to be still pending.

In view thereof, Mr. Subhash Chawla, learned counsel appearing for the petitioner seeks leave to withdraw the present petition under section 9 of the Arbitration & Conciliation Act 1996 ('A&C Act'), with liberty to file an appropriate application under section 17 of the A&C Act before the learned Arbitrator, as may be permissible, in accordance with law, seeking the interim measures of protection as prayed for by way of this petition.



Furthermore, as prayed for on behalf of the petitioner, the interim relief granted *vide* order dated 09.12.2022 shall continue until such time as the learned Sole Arbitrator takes a view on the interim relief in the matter.

Upon being queried, Mr. Chawla submits that they have complied with the condition of deposit to which order dated 09.12.2022 was subject, by placing a Fixed Deposit Receipt in the requisite sum with respondent No.2 as evidenced by the documents appended to I.A. No.1568/2023.

The petition is disposed-of as withdrawn in the above terms, with liberty as prayed for; without expressing any opinion on the merits of the matter.

Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

JANUARY 30, 2024/ak