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

+ O.M.P.(I) (COMM.) 361/2023 & I.A. 10/2024

AUSTHA CONSULTING ENGINEERS PVT.LTD Petitioner

Through: Mr. Abhishek Birthray with Mr. Chandan Sharma and Mr. Kshitij Laad, Advocates via video-conferencing.

versus

NATIONAL HIGHWAYS & INFRASTRUCTURE DEVELOPMENT CORPORATION LTD. Respondent

Through: Mr. Santosh Paul, Senior Advocate with Mr. Bikash Mohanty, Mr. Apratim Animesh Thakur, Mr. Shashwat Prateek Pande and Mr. Aimen Zamir, Advocates.
Mr. Anshul Aggarwal, Legal Professional and Mr. Abhishek Rana, Manager.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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17.05.2024

In view of an arbitrator having been appointed in ARB.P. No.387/2024, this court is of the view that the present petition filed under section 9 of the Arbitration & Conciliation Act 1996 be disposed-of, giving liberty to the petitioner to file the same as an application under section 17 of the A&C Act before the learned Arbitrator.

It is ordered accordingly.

Let the matter be placed before the learned Arbitrator within 02 weeks.



In the meantime, interim order dated 08.11.2023 shall continue till such time as the learned Arbitrator takes-up the section 17 A&C Act application for consideration.

Needless to say that the learned Arbitrator shall be entitled to confirm, modify or set-aside interim order dated 08.11.2023 granted in the matter, as may be permissible, in accordance with law.

Petition stands disposed-of.

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

ANUP JAIRAM BHAMBHANI, J

MAY 17, 2024
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