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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 2012/2023 & CM APPL. 63285/2023

M/S CEC-CICI JV

.....Petitioner

Through: Dr. Amit George with Mr. Kunal Kher
with Ms. Suparna Jain, Ms. Ibansara
Syiemlieh and Mr. Paras Sehgal,
Advocates.

versus

M/S DELHI METRO RAIL CORPORATION LTDRespondent

Through: Mr. Tarun Johri with Mr. Vishwajeet
Tyagi, Mr. Vivek Singh Somvanshi,
Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

24.07.2024

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1. The challenge in the present petition is to the order dated 15.10.2023, passed by the Arbitral Tribunal whereby it has been observed and held that the arbitration in question cannot be termed as 'International Commercial Arbitration'. It has already been brought to the notice of this Court that the learned Arbitral Tribunal has already heard the arguments and the matter is now reserved for pronouncement of the Award.

2. Learned counsel for the petitioner, under instructions, submits that he may be given permission to withdraw the present petition with the liberty to file the petition afresh. He submits that since nothing is pending consideration before Arbitral Tribunal and matter is reserved for pronouncement, he may, as per the outcome thereof, challenge the award and in such a situation he would also challenge the order



impugned herein.

3. Heard.

4. Petition is dismissed as not pressed. Liberty, as prayed, is granted in accordance with law.

MANOJ JAIN, J

JULY 24, 2024/st