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

+ **O.M.P.(MISC.)(COMM.) 632/2024 & I.As. 37033-34/2024.**

**MODERN PREFAB SYSTEMS
PRIVATE LIMITED**

.....Petitioner

Through: Mr. Aditya Kumar, Mr. Parv
Verma, Mr. Angad Gautam,
Advocates [9818748200].

versus

**STEEL AUTHORITY OF INDIA
LIMITED (SAIL) & ANR.**

.....Respondents

Through: Mr. Sunil K. Jain, Mr. Deepanshu
Jain, Mr. Shaantanu Jain, Ms.
Rashika Swarup, Advocates for
SAIL.

**CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER
22.08.2024**

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1. During the course of arguments, Mr. Sunil K. Jain, learned counsel for respondent No. 1 – Steel Authority of India Limited, who appears on advance notice, draws my attention to clauses 9.1 and 9.2 of the Contract Agreement dated 30.04.2014, which provide that arbitration will be held under the Rules of the Indian Council of Arbitration. The venue of arbitration is New Delhi, but exclusive jurisdiction has been vested in the Courts in Durg, Chhattisgarh. He submits that in these circumstances, the seat of the arbitral proceedings is in Durg, Chattisgarh and all



proceedings must be instituted in the Courts having jurisdiction there.

2. Learned counsel for the petitioner seeks permission to withdraw the petition, with liberty to approach the Court of competent jurisdiction.

3. The petition, alongwith pending applications, is dismissed as withdrawn with liberty as aforesaid.

PRATEEK JALAN, J

AUGUST 22, 2024

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