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

+ **ARB.P. 1811/2024**

AXIS FINANCE LIMITED

.....Petitioner

Through: Mr. Abu John Mathew, Advocate.

versus

ABHIJEET ENTERPRISES

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

20.11.2024

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I.A. 45595/2024 (Exemption)

Allowed, subject to all just exceptions.

ARB.P. 1811/2024

1. This Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator as per the Clause 35 of the loan Agreement to adjudicate on the disputes which have arisen between the parties.

2. Clause 35 of the Loan Agreement stipulates that the seat of arbitration can be either Delhi or Bombay depending on the choice of the lender, i.e. the Petitioner herein. In the present case, the Respondent is a resident of Pune. The agreement has been entered into in Pune. Since the Petitioner had the liberty to choose either Delhi or Bombay as the seat of arbitration, it was suggested by this Court to the learned Counsel for the Petitioner that the most convenient place to conduct arbitration for both the parties in the



present case should be Bombay and not Delhi.

3. Learned Counsel for the Petitioner accepts the suggestion of this Court and seeks permission to withdraw the present Petition with liberty to file an appropriate Petition before the Court of competent jurisdiction at Bombay.

4. Leave and liberty, as prayed for, is granted.

5. The Petition is disposed of as withdrawn, along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

NOVEMBER 20, 2024

Rahul