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

+ **ARB.P. 212/2025**

ACE ENGINEERING INFRATECH INDIA PVT. LTD.

.....Petitioner

Through: Mr. Ankit, Adv.

versus

KONKAN RAILWAY CORPORATION LIMITED

.....Respondent

Through: Ms. Rukhmini Bobde, Ms. Soumya Priya Sarshinee, Mr. Amit Kumar Srivastava, Mr. Jatin Dhamija, Mr. Amlaan Kumar and Mr. Vinayak Aryan, Advs.

CORAM

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **07.05.2025**

1. Learned counsel for the respondent raises objection regarding maintainability of the instant petition, on account of non adherence to the mutual settlement and conciliation provision, as stipulated in Clause 33.1 and 33.2 of the Agreement.
2. Learned counsel for the petitioner tries to emphasize that the supplementary agreement was executed, and it is thereafter, that the dispute has arisen.
3. Learned counsel for the petitioner, however, seeks liberty to withdraw the instant petition, with liberty to adhere to the agreed mechanism, in terms of Clause 33.1 and 33.2 of the Agreement, and to file fresh petition under



Section 11 of the Arbitration and Conciliation Act, 1996, if the conciliation process remains unsuccessful.

4. In view of the above, with the aforesaid liberty, the instant petition stands dismissed as withdrawn.

5. All rights and contentions of the parties are left open.

PURUSHAINDR KUMAR KAURAV, J

MAY 7, 2025/DPA/SP

Click here to check corrigendum, if any