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

+ **FAO (COMM) 49/2025, CM APPL. 9499/2025-Addl doc, CM APPL. 9500/2025-Exp, CM APPL. 9501/2025-Lengthy synopsis and list of dates**

PRADEEP GUPTA

.....Appellant

Through: **Mr. Shashank Shekhar and Mr. Ratnesh Kumar, Advs**

versus

ARUN KUMAR DESHWAL

.....Respondent

Through: **None**

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

17.02.2025

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1. The present appeal seeks to assail the order dated 02.12.2024 passed by the learned District Judge (Commercial Court)-12, Central District, Tis Hazari Courts, Delhi ('learned Trial Court') in OMP (COMM) No. 84/2024.
2. Vide the impugned order the learned Trial Court has allowed the application preferred by the respondent under Section 34 of the Arbitration and Conciliation Act, 1996, assailing the Arbitral Award dated 24.06.2024.
3. After some arguments, learned counsel for the appellant submits that, since the appellant had not placed on record certain documents which go to the root of the matter before the learned Trial Court, he may be granted leave to withdraw the present appeal, with liberty to approach the learned Trial Court by way of a review petition.



4. The appeal, alongwith the accompanying applications, is accordingly dismissed as withdrawn, with liberty to the appellant to file a review petition before the learned Trial Court. It is, however, made clear that this Court has not expressed any opinion on the merits of such a review petition, as it may come to be filed in the future.

REKHA PALLI, J

SAURABH BANERJEE, J

FEBRUARY 17, 2025/Ab