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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2041/2025, CM APPL. 66208/2025 & CM APPL. 66207/2025**

MUNICIPAL CORPORATION OF DELHIPetitioner
Through: Ms. Tajinder Viridi, Standing Counsel
(*through videoconferencing*)
versus

P.R. THAREJA PROP GOLDY CONSTRUCTIONS COMPANY
AND ANRRespondents
Through: Mr. Moni Cinmoy, Advocate

CORAM:
HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **25.10.2025**

1. Since on 17.10.2025, I had to proceed on half day leave post-lunch, the Court is being held today, though today is a holiday.
2. Petitioner/MCD seeks modification of order dated 27.09.2025 and setting aside of orders dated 19.09.2025, 22.08.2025 and 01.08.2025 passed by the learned Executing Court.
3. It appears that during pendency of objections under Section 34 of the Arbitration & Conciliation Act 1996, the present respondent filed execution petition in which the present petitioner filed an application to dismiss the execution as premature. By way of the impugned order, the learned Executing Court observed that since during pendency of that application, the objections under Section 34 of the Act stood dismissed, operation of the order dated 19.09.2025 (*issuance of attachment warrants*) would remain



stayed till expiry of the period allowed to file appeal against dismissal of the objections. The said period expired on 19.10.2025.

4. In response to a specific query, learned counsel for petitioner/MCD submits that they have already filed the appeal under Section 37 of the Arbitration & Conciliation Act, which appeal is expected to be listed shortly.

5. Under these circumstances, after addressing partly, learned counsel for petitioner on instructions seeks permission to withdraw this petition with liberty to raise before the appellate court, all grounds as raised in the present petition.

6. Accordingly, the petition and the accompanying applications are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

OCTOBER 25, 2025

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