



\$~51

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

+ **FAO(OS) (COMM) 56/2025**

UNION OF INDIA

.....Appellant

Through: Mr. K.C. Dubey, Mr. Rupesh Kumar,
Mr. R.K. Dagur, Mr. Rishav Dubey
Advocates

versus

BCC DEVELOPERS AND PROMOTERS PVT. LTD.

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

16.04.2025

%

CM APPL. 21716/2025 (Exemption)

Allowed, subject to all just exceptions.

**FAO(OS) (COMM) 56/2025 & CM APPL. 21715/2025, CM APPL.
21717/2025, CM APPL. 21718/2025**

1. Even though the present appeal has been filed with a delay of 148 days against an order dismissing a challenge to the Award under Section 34 of the Arbitration & Conciliation Act on the ground that there was an inordinate delay in re-filing the petition.
2. Learned Counsel for the Appellant states that the reason recorded by the learned Single Judge explaining the delay is incorrect. When this Court suggested to the learned Counsel for the Appellant that if that is the ground



for appeal, then the Appellant has to move a review petition to bring on record the correct facts.

3. Learned Counsel for the Appellant seeks permission to withdraw the present appeal with liberty to take such remedies as available to him under law.

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

5. The appeal is disposed of as withdrawn along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

HARISH VAIDYANATHAN SHANKAR, J

APRIL 16, 2025

hsk