



2024:DHC:6726



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

+ O.M.P.(I) (COMM.) 174/2023

M/S GARG BUILDERS

.....Petitioner

Through: Mr. Rahul Malhotra, Adv.

versus

HINDUSTAN PREFAB LIMITED & ANR.Respondents

Through: Mr. Nischal Anand, Adv. for R-1

Mr. Vaibhav Manu Srivastava, Adv. with

Mr. Dinesh Kumar, SSO for R-2/ESIC

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (ORAL)

% **02.09.2024**

1. Mr. Malhotra, learned Counsel for the petitioner, prays that, as an arbitrator has been appointed by the order passed today in Arb P 467/2024, this petition may be disposed of by requesting the learned arbitrator to treat it as an application under Section 17 of the Arbitration and Conciliation Act, 1996 ("the 1996 Act") and to dispose of the petition in accordance with law.

2. Learned Counsel for the respondents has no objection.

3. Accordingly, this petition is disposed of with a direction to the learned arbitrator to treat this petition as an application under Section 17 of the 1996 Act and take a decision on the application in accordance with law.

4. The petition is disposed of as aforesaid.

C.HARI SHANKAR, J

SEPTEMBER 2, 2024/dsn

[Click here to check corrigendum, if any](#)