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

+ ARB.P. 364/2023

M/S KAMLADITYYA CONSTRUCTIONS PVT. LTD.

..... Petitioner

Through: Mr.Naresh Markanda, Senior
Advocate with Mr.Rohan Markanda,
Mr.Virender Kumar Sharma,
Advocates.

versus

GNCTD & ANR.

..... Respondents

Through: Ms.Natasha Maheshwari, Mr.Shadan
Farasat, Advocates.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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01.11.2023

1. The dispute in the present matter is as to if contract was finally awarded to the petitioner and if the arbitration clause, contained in the GCC would apply. The learned counsel for the petitioner has shown me a copy of letter dated 09.07.2020 annexed with reply of the respondent wherein it is stated the *tender for the abovesaid work has been approved by the Delhi Works Advisory Board, PWD subject to the condition that the award shall be issued only after necessary permissions.*

2. It is the submission of the learned counsel for the petitioner, once the tender has been approved, the contract would come into existence and issuance of an award letter is a mere formality. The learned counsel for the respondent submits otherwise.

3. The learned counsel for the petitioner seeks time to show law on the



subject.

4. List on 21.11.2023.

NOVEMBER 01, 2023

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YOGESH KHANNA, J.