

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

Arbitration C. No. 347 of 2025

Date of decision: 28.11.2025

South East Asian Study Foundation Trust ...Petitioner

Versus

Vocational Education Foundation Trust & Ors.

...Respondents

Coram

The Hon'ble Mr. Justice G. S. Sandhawalia, Chief Justice.

Whether approved for reporting?

For the Petitioner : Mr. Neeraj Gupta, Senior Advocate with
Mr. Shivank Singh Panta, Advocate.

For the Respondents: Ms. Shradha Karol, Advocate, for
respondent No. 1.

G. S. Sandhawalia, Chief Justice (Oral)

OMP No. 1420 of 2025

The present application has been filed for withdrawal of the petition with liberty to agitate the claim petition in accordance with law.

2. The main case has been filed under Section 11(5) of the Arbitration and Conciliation Act, 1996, for seeking appointment of an Arbitrator. The ground as such for withdrawal mentioned in the application is that the CARBA No. 9 of 2025 had been dismissed on 31.10.2025 and it is submitted that the jurisdiction of this Court for initiating a proceeding under Section 9 of the Arbitration and Conciliation Act has been held not to be available with this Court as the parties had agreed to the terms

of the agreement made *inter se*, including the memo of understanding, that the Courts at Delhi would have jurisdiction.

3. In such circumstances, counsel for the petitioner does not wish to press the present petition. Accordingly, the application is allowed and the petition is dismissed as withdrawn, with liberty as aforesaid, alongwith pending applications, if any.

(G. S. Sandhawalia)
Chief Justice

28th November, 2025
(sanjeev)