

Court No. - 19

Case :- CIVIL MISC. ARBITRATION APPLICATION No. - 82 of 2023

Applicant :- Devi Prasad Mishra

Opposite Party :- M/S Nayara Energy Limited (Formerly Known As Essar Oil Ltd.) Thru M.D. At G.B. Nagar U.P.

Counsel for Applicant :- Girish Chandra Sinha, Mayank Sinha

Hon'ble Jaspreet Singh, J.

Heard Shri Mayank Sinha, learned counsel for the petitioner.

This Court on 02.11.2023 had passed the following order, which read as under:-

"Heard Sri Mayank Sinha, learned counsel for the petitioner.

The instant petition has been preferred under Section 11 (6) of the Arbitration and Conciliation Act, 1996.

The submission of learned counsel for the petitioner is that the parties had entered into an agreement dated 18th January, 2018 and in Clause 21 of the Agreement, it provided a Dispute Resolution Mechanism.

The learned counsel for the petitioner states that he may be granted some time to bring on record certain communications exchanged between the parties in terms whereof the petitioner had invoked the Dispute Resolution Mechanism and had sought the good offices of the respondent to get the matter decided amicably.

List/put up this matter on 20th November, 2023, as fresh."

Today, learned counsel for the petitioner submits that since the invocation of the arbitration clause was not in accordance with the Clause 21, accordingly, he submits that he may be permitted to withdraw the petition with liberty to file a fresh after invoking the clause appropriately.

In view of the aforesaid, the **petition is dismissed as withdrawn with liberty as aforesaid.**

Order Date :- 20.11.2023

Rakesh/-