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

+ **ARB.P. 76/2019**

GOYAL MG GASES PVT LTD. Petitioner

Through: Mr. Simran Mehta, Adv

versus

JAYASWALNECO INDUSTRIES LIMITED Respondent

Through: Mr. Ravi Bharuka, Adv

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **05.02.2019**

I.A. No. 1746/2019 (Exemption)

1. Allowed, subject to just exceptions.

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2. Mr. Mehta says that as per Article 10 of the Agreement obtaining between the parties, the parties had to first attempt to settle disputes amicably and thereafter, take recourse to the Dispute Resolution Committee.

3. The aforementioned steps prior to triggering the arbitration mechanism have, admittedly, not been taken by the parties.

4. Mr. Ravi Bharuka, who, appears on advance notice on behalf of the respondent, concedes as much, *albeit*, on instructions.

5. In these circumstances, Mr. Mehta wishes to withdraw the petition and, if necessary, approach the Court, at an appropriate stage.

6. The petition is dismissed as withdrawn.

RAJIV SHAKDHER, J

FEBRUARY 05, 2019

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