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

+ ARB.P. 831/2019, I.A. 274/2020

**NEWTON ENGINEERING AND CHEMICALS  
LIMITED**

..... Petitioner

Through Ms. Madhumita Bhattacharya,  
Advocate.

versus

**UEM INDIA PRIVATE LIMITED**

..... Respondent

Through Mr. Hrishikesh Chitale and Mr.  
Ashish Verma, Advocates.

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

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**13.02.2020**

Learned counsel for the respondent, at the outset, submits that while there is an Agreement between the parties which has an Arbitration Clause but the notice of invocation dated 04.07.2019 is not in terms of the Memorandum of Understanding which contains the Arbitration Clause.

Learned counsel for the petitioner fairly submits that fresh notice of invocation will be sent to the respondent in terms of the Arbitration Agreement calling upon the respondent to appoint an Arbitrator.

Learned counsel for the petitioner seeks leave to withdraw the petition with liberty to take re-course to appropriate remedies available to the petitioner in law.

Petition is disposed of with the liberty aforesaid. Needless to state that petitioner is at liberty to approach the Court again for appointment of an Arbitrator, in accordance with law.

**JYOTI SINGH, J**

**FEBRUARY 13, 2020/yo/**