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

+ CS (OS) 190/2020

I.A. 6050/2020 (under Order XXXIX Rule 1 and 2 CPC-by plaintiffs)

I.A. 6051/2020 (exemption from filing court fee, legible copies and handwritten documents)

RCC INFRAVENTURES LIMITED

.....Plaintiff

Represented by: Mr. Gurdeep Singh, Adv.

versus

DMI FINANCE PVT. LTD. & ANR.

..... Defendants

Represented by: Mr. Kinshuk Chatterjee, Adv. for D-1

Mr. Sidharth Khattar, Adv. for D-2.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.07.2020

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The hearing has been conducted through Video Conferencing.

1. Learned counsel for the defendant No.2 states that the present suit is not maintainable in view of Clause 6.3 of the MOU.

2. Clause 6.3 of the MOU reads as under:

“6.3 Governing Law and Dispute Resolution:

All disputes, claims, suits and actions arising out of this MOU or its validity will be resolved through sole arbitrator as appointed in accordance with the provisions of Arbitration and Conciliation Act, 1996.”

3. In view of Clause 6.3 of the MOU, learned counsel for the plaintiff, thus, seeks leave to withdraw the suit.

4. Suit and applications are permitted to be withdrawn subject to cost of

₹25,000/- to be deposited by the plaintiff with the Delhi High Court Legal Services Committee within four weeks.

5. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

JULY 24, 2020
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