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

+ **ARB.P. 521/2019**

M/S. ENVICON TECHNOLOGIES (I)
PVT. LTD.

..... Petitioner

Through Mr. Praveen Aggarwal, Adv.

versus

M/S. GRAND HIRA RESORTS PVT. LTD.
Through

..... Respondent

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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26.03.2021

I.A. 4615/2021 (delay in refiling)

1. For the reasons stated in the application, the same is allowed and delay in refiling the application for restoration of the petition is condoned.

I.A. No.4614/2021 (Restoration)

2. The above captioned petition was dismissed in default by an order dated 31.01.2020 as none was present on behalf of the petitioner. It is seen that even prior to that date (that is 18.10.2020), none was present on behalf of the petitioner. However, considering the mitigating circumstances, this Court considers it apposite to allow the present application.

3. Accordingly, the above captioned petition is restored on the position as obtaining on 31.01.2020.

ARB.P.521/2019

4. The petitioner relies on the Purchase Order dated 12.11.2013 which

includes an Arbitration Clause. It is seen that the same is not signed. However, the learned counsel appearing for the petitioner states that the same was sent by email and there is no dispute regarding the same as the petitioner has also been paid in terms of the said Purchase Order dated 12.11.2013.

5. Issue notice, returnable on 12.05.2021. Notice shall go by speed post as well as through electronic modes. *Dasti*, in addition. *Dasti* notice shall be served in person. An affidavit of service will be filed at least one week before the next date of hearing.

VIBHU BAKHRU, J

MARCH 26, 2021
dr