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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(I) (COMM.) 37/2024 & I.A. 1930/2024.**

M/S EAT HEARTY PRIVATE LIMITED Petitioner

Through: Mr. Mayank Kapoor and Mr. Satyam
Gyan, Advs.

versus

**M/S JAGDAMBA INCORPORATION PRIVATE LIMITED &
ANR.** Respondents

Through: Mr. Mehul Prasad, Adv.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

30.04.2024

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1. Mr. Mehul Prasad, Advocate, enters appearance on behalf of the respondent. He states that he has just been engaged and seeks time to file his *Vakalatnama*.
2. Counsel for the petitioner, however, states that a notice of invocation of arbitration has already been sent on 03rd February, 2024 to the respondent through various modes of communication.
3. The copy of the said notice be served during the course of the day on Mr. Prasad's email i.e. mehulprasad30@gmail.com.
4. Steps will be taken for appointment of an Arbitrator. The parties are at liberty to approach the Arbitrator for relief under Section 17 of the Arbitration and Conciliation Act, 1996.
5. Parties shall take steps to appoint an Arbitrator within a period of two



weeks from today.

6. Liberty is given to the petitioner to move the Arbitrator for further relief, if any, under Section 17 of the Arbitration and Conciliation Act, 1996.

7. The interim order granted on 29th January, 2024, shall subsist, till so added, modified or varied by the Arbitrator under Section 17 of the Arbitration and Conciliation Act, 1996.

8. This petition under Section 9 is, therefore, disposed of with the above observations.

9. Pending applications are rendered infructuous.

10. Liberty is given to the petitioner to approach this Court in case any other relief is necessitated before the Arbitral Tribunal is constituted.

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

ANISH DAYAL, J

APRIL 30, 2024/MK/rj