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

+ **ARB.P. 974/2025**

**SUPERWAVE COMMUNICATIONS AND INFRASOLUTIONS
PVT. LTD.**Petitioner

Through: Mr. Sahil Kakkar and Mr. Vinod
Patidar, Advocates.

versus

DINESH INDUSTRIAL CORPORATIONRespondent

Through: Mr. Dev Pratap Shahi and Mr. Harsh
Pratap Shahi, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

06.10.2025

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1. This petition is filed on behalf of the Petitioner under Section 11(6) of Arbitration and Conciliation Act, 1996 for appointment of a Sole Arbitrator.
2. Learned counsel for the Respondent takes a preliminary objection to the maintainability of this petition on the ground that the invocation notice dated 18.09.2024 sent by the Petitioner, does not refer to the Purchase Orders in respect of which disputes are sought to be referred to arbitration and moreover, each of the Purchase Orders are separate contracts and many of them do not have arbitration clauses.
3. Faced with this, learned counsel for the Petitioner, on instructions, seeks to withdraw this petition with liberty to send a fresh invocation notice(s) with complete and better particulars and in accordance with law in respect of the various Purchase Orders as also to file fresh petition in case Respondent declines to appoint an Arbitrator.



4. Petition is disposed of as withdrawn with liberty, as prayed for in accordance with law. Needless to state, Court has not expressed any opinion on the merits of the case and all rights and contentions of parties are left open.

JYOTI SINGH, J

OCTOBER 6, 2025
Ch