

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Arb P No. 58/2024
CM No. 2995/2026
CM No. 4209/2026
c/w
Arb P No. 76/2024

Wheelocity Motors Pvt. Ltd. Th.Appellant(s)/Petitioner(s)
Mudser Nabi Sheikh and anr.

Through: Mr. R. K. Gupta, Sr. Advocate with
Mr. Uday Bhaskar, Advocate &
Ms. Sadhvi Sharma, Advocate
Petitioner No. 2 (Th. V.C.)

vs

WOC Automobiles Pvt. Ltd. Th. Atul Respondent(s)
Abrol and anr.

Through: Mr. A. P. Singh, Sr. Advocate with
Mr. T. R. Wani, Advocate

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER
03.07.2026

Arb P No. 58/2024

1. Mr. Uday Bhaskar, Advocate submits that the petitioners have filed an application bearing CM No. 4209/2026 seeking withdrawal of the main petition with liberty to file fresh application on the ground that learned counsel representing the petitioners could not trace the postal receipts of the service of notice issued to the respondents for the purpose of invoking arbitration.
2. Learned counsel for the respondents submits that liberty cannot be granted to the petitioners at this stage.
3. After having heard learned counsel appearing for the parties, this Court is of the considered view that the application deserves to be allowed because the applicants have admitted that postal receipts

demonstrating the issuance of notice to the respondents have not been traced on account of misplacement.

4. In view of the above, **CM No. 4209/2026 is allowed.** The petitioners/applicants are permitted to withdraw the arbitration petition bearing Arb P No. 58/2024 with liberty to approach the Court afresh in accordance with law.
5. **Dismissed as withdrawn.**

Arb P No. 76/2024

6. Learned counsel appearing for the petitioner submits that he could not trace the postal receipts regarding notice issued to the respondent for the purpose of invoking arbitration, as such, he seeks withdrawal of the arbitration petition with liberty to approach this Court afresh after issuing fresh notice in accordance with law.
7. Learned counsel for the respondent has opposed the submission made by the learned counsel for the petitioner.
8. **Disposed of** in terms of order passed in Arb P No. 58/2024.

(RAJNESH OSWAL)
JUDGE

Jammu
03.07.2026
Neha-II