

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO.1786 OF 2015**

Netspider IndiaPetitioner

Vs.

Municipal Corporation of Greater Mumbai & Anr.Respondents

Ms. Dimple Majithia i/b. Agrud Partners for petitioner.
Mr. R.Y. Sirsikar for respondents.

**CORAM : K.R.SHRIRAM, J.
DATE : 2nd NOVEMBER, 2017**

PC.:

1 On 15th December, 2015 ad-interim order in terms of prayer clause - (a) was granted till 21st December, 2015. I do not find the ad-interim order being extended thereafter. The counsel for petitioner is also unable to assist the Court and states that she has not got the papers to the Court and has no instructions. This is despite the fact that the cause list was released as for back as 27th October, 2017. The counsel for petitioner, however, states that arbitration proceedings have not been commenced till date. Section 9 (2) of the Arbitration and Conciliation Act, 1996 provides that "arbitral proceedings shall be commenced within a period of ninety days from the date of such order where, before the commencement of the arbitral proceedings, a Court passes an order for any interim measure of protection or within such further time as the Court may determine".

2 In the circumstances, as arbitral proceedings have not been commenced, apart from the fact that the order dated 15th December, 2015 has not been extended and the ad-interim order passed has come to an end, the petition stands dismissed.

(K.R. SHRIRAM, J.)