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

+ **CM(M) 1175/2017**

POWRTEC ENERGY PVT. LTD

..... Petitioner

Through: Mr. Santosh K. Sethi and Mr. Arjun
Jaidka, Advs.

Versus

HARTINDER SINGH BHATIA & ORS

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **25.10.2017**

CM No.38089/2017 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CM(M) 1175/2017

3. This petition under Article 227 of the Constitution of India seeks a direction to Sh. Rakesh Kumar-IV, Additional District Judge (ADJ)-06 (West), Tis Hazari Courts, Delhi to dispose of the application filed by the respondent/defendant No.1 under Section 8 of the Arbitration and Conciliation Act, 1996 in CS No.1755/2016 filed by the petitioner/plaintiff for recovery of monies.

4. It is the contention of the counsel for the petitioner/plaintiff and is borne out from the copies of the order sheets filed with the petition (i) on 4th May, 2016, summons of the suit were ordered to be issued for 28th May, 2016; (ii) on 28th May, 2016, the counsel for the respondent/defendant No.1 filed the application aforesaid and the suit was adjourned to 27th August, 2016 for filing reply to the said application as well as written statement; (iii) on 27th August, 2016, written statement along with counter-claim and reply

were filed and the suit adjourned to 4th November, 2016 for disposal of the said application; (iv) on 4th November, 2016, the Presiding Officer was on leave; (v) on 15th December, 2016 part arguments were heard on the application; (vi) on 7th January, 2017, the matter was adjourned to 25th March, 2017 for remaining arguments/orders; (vii) on 25th March, 2017 again, the matter was adjourned for remaining arguments/orders; (viii) on 28th April, 2017, hearing of arguments was completed and the matter posted for 22nd May, 2017 for orders; (ix) order on the application was not pronounced inspite of adjournments on 22nd May, 2017, 18th July, 2017, 28th July, 2017 and 24th August, 2017.

5. The counsel for the petitioner, on enquiry, states that no date has been given after 24th August, 2017 and orders have not been pronounced.

6. Believing the aforesaid, the petition is disposed of by requesting the learned ADJ-06 (West), Tis Hazari Courts, Delhi to, if has already not pronounced orders on the application, pronounce the same definitely on or before 7th November, 2017.

7. A copy of this order be given *dasti* under the signatures of the Court Master to the counsel of the petitioner for submission before the learned ADJ by tomorrow i.e. 26th October, 2017 for compliance.

No costs.

RAJIV SAHAI ENDLAW, J.

OCTOBER 25, 2017

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