

Vidya Amin

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMMERCIAL ARBITRATION APPLICATION NO. 126 OF 2021

Container Rail Road Services Pvt. Ltd. .. Applicant

Vs.

Maple Logistics Pvt. Ltd. & Ors. .. Respondents

Mr. Shailesh Shukla a/w. Mr. Siddhesh S. Pradhan i/b. J. Sagar Associates for the applicant.

CORAM : G.S. KULKARNI, J.

DATE : JUNE 27, 2022.

P.C.:

1. Learned counsel for the applicant states that this petition was filed on 2 March, 2021, however there are subsequent development inasmuch there are proceedings filed against respondent nos. 1 and 2, the contesting respondents under the Insolvency and Bankruptcy Code before the National Company Law Tribunal and in such proceedings, already an Interim Resolution Professional has been appointed.

2. In view of such proceedings being admitted and an Interim Resolution Professional being appointed, the provisions of moratorium as prescribed under section 14 of IBC have also become operative. In the above circumstances, learned counsel for the applicant would submit that the present application be disposed of with liberty to the applicant to revive the present proceedings or to file fresh application on the same

cause o action, as and when the circumstances so permit.

3. Accordingly, the application is disposed of with liberty to the applicant to revive the present proceedings or to file a fresh application on the same cause of action as and when the circumstances so permit. All contentions of the parties are expressly kept open.

4. Disposed of. No costs.

[G.S. KULKARNI, J.]