

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

ARBITRATION PETITION NO.798 OF 2017

Jawed Habib Hair and Beauty Ltd.

.. Petitioner

v/s.

Rohit Dwivedi

.. Respondent

Mr. Sayed Zia i/b. Pritam Joshi for the petitioner.

None for the respondent.

CORAM : A. K. MENON, J.

DATED : 28TH FEBRUARY, 2022.

P.C. :

1. An order has been passed on 22nd July, 2019 issuing notice to the respondent. Ad-interim order has been allowed in terms of prayer clause (b). However, till date applicant has not invoked arbitration.
2. The learned counsel for the petitioner states that he will obtain instructions in the matter and invoke arbitration before the next date.
3. The affidavit of service dated 9th August, 2019 indicates that the respondent has been duly served with order dated 22nd July,

2019. However, till date no appearance has been entered. In view of this, it appears that the respondent is not interested in contesting this petition.

4. Accordingly, I pass the following order;

(i) The order dated 22nd July, 2019 shall continue for a period of six months from today.

(ii) The respondent is at liberty to seek vacation of that order if he so desirous.

(iii) In the meantime, applicant shall proceed to adopt such proceedings shall invoke arbitration and proceed in accordance with law.

(iv) If arbitration is not invoked within the aforesaid period, this order will stand vacated and the petition shall stand dismissed.

(A. K. MENON, J.)