

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

MISC. CIVIL APPLICATION NO. 992 OF 2016

M/s. Bhaiji Infra Projects Pvt. Ltd.
Vs.
M/s. Nettlinx Reality Pvt. Ltd. and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

None for the applicant.
Mr. Amol B. Darekar, Advocate for respondent Nos.1, 4
& 5.

CORAM : MANISH PITALE J.

DATE : 27.06.2022.

This application for appointment of Arbitrator is pending since the year 2016. Notice was issued as far back as on 08.02.2017. The record shows that time and again this application has been adjourned at the behest of the applicant.

2. Even on the last date i.e. 07.06.2022 none was present on behalf of the applicant.

3. In a recent order passed in the case of *M/s. Shree Vishnu Constructions vs. The Engineer in Chief, Military Engineering Service and Ors.* i.e. Special Leave Petition (C) No.5306/2022, on 19.05.2022, the Hon'ble Supreme Court has specifically directed that such applications filed

under Section 11 of the Arbitration and Conciliation Act, 1996, be disposed of preferably within six months from the date of filing of the application.

4. As noted above, in the present case, this application is pending since the year 2016 and continued absence of representation on behalf of the applicant shows that the applicant is not interested in pursuing this application.

5. Hence, the application is dismissed.

JUDGE