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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No.9097-CII of 2022 in/and
ARB No.65 of 2019 (O&M)
Date of Decision: 09.11.2022

MOUNT SPRING BEVERAGES PVT LTD

.....Petitioner

Vs

GUARDIAN NUTRITION AND HEALTH SUPPLIMENTS
PRIVATE LTD

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Ms. Simran Sharma, Advocate for
Mr. Rohit Chandel, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Notice of motion was issued on 08.03.2019.

Vide order dated 17.01.2020, learned counsel for the petitioner was directed to furnish fresh address of respondent-Company within three weeks after which notice was ordered to be issued at the given fresh address for the adjourned date.

On 10.03.2022, following order was passed by the Co-ordinate Bench of this Court:-

“Though matters were being taken up through physical hearing mode today, this matter has been taken up through video conferencing on specific request of learned counsel and in terms of circular dated 14.09.2021. As per office report, notice could not be issued to the respondent as fresh address of the respondent has not

been filed.

Learned counsel for the petitioner submits that needful shall be done within one week from today. Pursuant thereto, fresh notice be issued to the respondent, for 04.08.2022.

(LISA GILL)
JUDGE

10.03.2022
Sunil"

Evidently, the office of learned counsel for the petitioner has not submitted any fresh address, nor got any dasti process issued for service of the respondent.

Vide order dated 19.05.2022 passed in Special Leave Petition (Civil) No.5306 of 2022, the Hon'ble Apex Court has directed that all pending applications under Section 11(5) and 11(6) of the Arbitration Act and/or any other application either for substitution of Arbitrator and/or change of Arbitrator, which are pending for more than one year from the date of filing, must be decided within six months from today i.e. 19.05.2022.

In view of facts and circumstances of this case, this Court has no alternative except to dismiss this case for want of prosecution.

Dismissed for want of prosecution.

Pending application(s), if any, stand disposed of.

(RAJ MOHAN SINGH)
JUDGE

November 09, 2022
Atik

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No