

(202)

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

ARB-138-2015 (O&M)

Date of decision : 17.05.2024

Divine Infrsolutions Pvt. Ltd.

.....Petitioner

Versus

Sahara India Commercial Corporation Ltd. and others

....Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA, ACTING CHIEF JUSTICE

Present: Ms. Nitika Sharma, Advocate,
for the petitioner.

None for the respondents.

G.S. SANDHAWALIA, ACTING CHIEF JUSTICE (Oral)

1. The present petition has been filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (in short 'the Act'), praying for appointment of an Arbitrator.

2. This petition for the first time came up for hearing on 21.08.2015, when notice of motion was issued. On 04.09.2015, the matter was stated to be pending before the Mediator. The petition has been hanging fire since then. On 15.07.2016, learned counsel for the petitioner had sought time to take a clarification from the Apex Court, since apparently, the Apex Court was seized of the matter with regard to the properties of the respondents herein. The matter was, thereafter, adjourned sine-die on 28.04.2017.

3. On 16.09.2022, learned counsel for the petitioner sought time to inform the current status of the matter pending before the Apex Court and also to seek further instructions in the matter. Despite repeated opportunities, the

current status of the matter pending before the Apex Court has not been informed. On 20.04.2024, last opportunity was granted to learned counsel for the petitioner to comply with the order dated 16.09.2922.

4. In such circumstances, it is not deemed fit to continue with the proceedings indefinitely.
5. Accordingly, petition is disposed as not pressed at this stage.
6. Liberty is granted to the petitioner to revive the petition in case any fresh cause of action arises.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

May 17, 2024
ndj

Whether speaking/reasoned	Yes
Whether reportable	No