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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **O.M.P.(MISC.)(COMM.) 200/2024**

FUJIFILM INDIA PVT. LTD. Petitioner

Through: Mr. Rohit Jain, Adv.

versus

MACART EQUIPMENT PVT. LTD.

..... Respondent

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **12.03.2024**

1. This hearing has been done through hybrid mode.

I.A. 5704/2024 & I.A. 5705/2024 (for exemptions)

2. Allowed, subject to all just exceptions. Applications are disposed of.

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3. The present petition on behalf of the Petitioner-Fujifilm India Pvt. Ltd. has been filed under Section 29-A (4) of the Arbitration and Conciliation Act, 1996 (*hereinafter, '1996 Act'*) seeking extension of mandate of the Id. Arbitrator.

4. In the present petition, the proceedings emanated from the Purchase Agreement dated 4th September, 2017. The Petitioner company, aiming to expand its business prospects, was interested in the design and development of an Eco Solvent Printer incorporating Fujifilm's Sapphire Qs 256-10pl print head, along with all necessary electronics, RIP software, and mechanics, intended for market sale. The Respondent showed interest in designing and developing this printer according to the Petitioner company's specifications. On 6th September 2017, the Purchase Agreement was



executed between the Petitioner company and the Respondent, under which the Respondent supplied 13 printers to the Petitioner company and raised invoices from 17th May, 2017 to 12th October, 2017.

5. Following disputes arising between the parties relating to the printers, on 1st December, 2020, the Petitioner company invoked the arbitration clause through a legal notice. On 5th January 2021, this Court referred the matter to the DIAC for conducting the arbitration proceedings. Pleadings were completed from February 2021 to September 2022. On 16th September 2023, the Id. Sole Arbitrator extended the period for concluding the arbitration proceedings by an additional 6 months, set to expire on 15th March 2024, leading to the filing of the present petition.

6. The Court has perused the order dated 17th February, 2024 which shows that the evidence of the claimant is also going on and the parties are exploring settlement. For the reasons stated therein, the mandate of the Arbitrator is extended by a further period of six months.

7. Petition is disposed of in these terms. All pending applications is also disposed of.

PRATHIBA M. SINGH, J.

MARCH 12, 2024

Rahul/dn