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

+ **O.M.P.(MISC.)(COMM.) 416/2023**

**SIDDHAST INTELLECTUAL PROPERTY
INNOVATIONS PVT. LTD.**

..... Petitioner

Through: Mr. Abhishek Chandra Mishra and
Ms. Sarita Mehta, Advocates.

versus

**CONTROLLER GENERAL OF PATENTS DESIGNS AND
TRADEMARK CGPDTM AND ANR**

..... Respondents

Through: Ms. Nidhi Raman, CGSC with Mr.
Zubin Singh, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

26.02.2024

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Though process fee for issuance of notice was not filed,
Ms. Nidhi Raman, learned CGSC has entered appearance on behalf of
respondent No.1; and fairly submits that they do not oppose the
extension of the mandate of the learned Sole Arbitrator as prayed-for
by way of the present petition.

2. Mr. Abhishek Chandra Mishra, learned counsel appearing for the
petitioner points-out that respondent No.2 has already given his
consent *vide* communication dated 08.07.2023, a copy of which has
been appended to the petition.
3. The record shows that the learned Sole Arbitrator was appointed *vide*
order dated 11.01.2021 made by this court; and he has been seized of



the arbitral proceedings ever-since. The matter is now stated to be at the stage of recording claimant's evidence.

4. The last extension of the mandate of the learned Sole Arbitrator ended on 01.03.2023.
5. Mr Mishra submits that the proceedings have been prolonged by reason of the then prevailing pandemic, which period is in any case liable to be excluded in view of order dated 10.01.2022 passed by the Supreme Court in *In Re: Cognizance for Extension of Limitation*¹.
6. In view of the above, the petition is allowed, thereby extending the mandate of the learned sole Arbitrator by 06 months commencing today; further observing that any proceedings undertaken after expiration of the previous mandate shall also stand validated and regularised.
7. The petition stands disposed-of in the above terms.
8. Pending applications, if any, also disposed-of.

ANUP JAIRAM BHAMBHANI, J

FEBRUARY 26, 2024

V.Rawat

¹ (2022) 3 SCC 117