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

+ **O.M.P.(MISC.)(COMM.) 640/2024**

**SIDDHAST INTELLECTUAL PROPERTY
INNOVATION PVT LTD**

.....Petitioner

Through: **Mr. Satpal Singh, Advocate.**

versus

**CONTROLLER GENERAL OF PATENTS DESIGNS
AND TRADEMARKS AND ANR**

.....Respondents

Through: **Ms. Nidhi Raman, CGSC with Mr.
Zubin Singh, Mr. Akash Mishra
and Ms. Rashi Kapoor, Advocates
for R-1.**

**Mr. Dhruv Sharma, Advocate for
R-2.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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17.09.2024

1. The petitioner has filed this petition for extension of the mandate of the learned Arbitrator, who is in *seisin* of disputes between the parties, pursuant to a judgment of this Court dated 11.01.2021 in ARB.P. 45/2021.
2. The mandate of the learned Arbitrator was extended for a period of six months, by order dated 26.02.2024 in O.M.P. (MISC.)(COMM.) 416/2023. I am informed that the proceedings are at the stage of cross-examination of the witness of the petitioner/ claimant.
3. Ms. Nidhi Raman, learned counsel for respondent No.1, submits

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that she has been instructed not to oppose the petition.

4. Respondent No.2 has filed an affidavit dated 14.09.2024, pursuant to liberty granted by the order dated 23.08.2024. The affidavit is handed over in Court, and is taken on record. Mr. Dhruv Sharma, learned counsel for respondent No.2, submits that the petitioner and respondent No.1 have delayed the proceedings. He draws my attention to the fact that no hearings were held between December 2023 and May 2024. Although a hearing was fixed on 11.12.2023, it was cancelled due to a personal exigency of the learned Arbitrator and a hearing fixed on 26.03.2024 was cancelled at the request of learned counsel for the petitioner/ claimant.

5. Although the contents of the affidavit are disputed by Mr. Satpal Singh, learned counsel for the petitioner and Ms. Raman, in any event, I do not find any communication having been addressed by respondent No.2 to the learned Arbitrator seeking a date of hearing. The communications to this effect, annexed to the reply, have been sent by counsel for the petitioner and respondent No.1.

6. Learned counsel for all the parties assure the Court that they will cooperate with the learned Arbitrator for expeditious disposal of the proceedings, and will not seek unnecessary adjournments.

7. In view of the above and at the request of learned counsel for the parties, the mandate of the learned Arbitrator is extended for a period of six months from today.

8. The petition is disposed of accordingly.

PRATEEK JALAN, J

SEPTEMBER 17, 2024/SS/

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