



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION PETITION NO.15 OF 2024

M/s. Topworth Infra Pvt. Ltd. (TIPL)

...Petitioner

V/s.

M/s. Dilip Buildcon Ltd. DBL

...Respondent

None for the Petitioner.

Ms. Harkirat Kaur Ahluwalia with Ms. Nandita Dethe and Mr. Ameya Garud i/b. M/s. Singhania Legal Services for the Respondent.

CORAM: SANDEEP V. MARNE, J.

DATED: 07 NOVEMBER 2025.

P.C.:

1) There has been consistent defaults on the part of the Petitioner on account of which the Arbitration Petition is listed today under the caption 'for dismissal'.

2) On 4 November 2025 this Court passed the following order:-

1. None appears for the Petitioner. On 14 August 2025 also, none had appeared on behalf of the Petitioner and the Court passed following order :

1. Ms. Kaur, learned advocate appearing for the respondent submits that though the petitioner has filed the Affidavit-in-rejoinder, a copy of the same has not been served on the respondent. Hence, she is seeking short accommodation, in order to enable her to go

through the contents of Affidavit-in-rejoinder, after the same is served on her firm.

2. Hence, the petitioner is directed to serve a copy of the rejoinder to learned advocate appearing for the respondent within a period of two weeks from today.

3. Stand over to 11th September 2025.

2) Ms. Kaur, the learned counsel appearing for the Respondents, complains that despite passing of order dated 14 August 2025, the Petitioner has not bothered to supply copy of Affidavit-of-Rejoinder on the Respondents.

3) It appears that the Petitioner has lost interest in prosecuting the petition. List the petition under the caption 'for dismissal' on 7 November 2025.

3) Today again, none appears on behalf of the Petitioner. It appears that the Petitioner has lost interest in prosecuting the Petition. Arbitration Petition is **dismissed** for want of prosecution.

[SANDEEP V. MARNE, J.]