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

+ **ARB.A. 2/2019 & I.A. 14656/2019, I.A. 40874/2024**

ABW TOWER CONDOMINIUM ASSOCIATION.....Appellant

Through: **Mr. Rahul Malhotra and Mr. Jitender
Gupta, Advocates**

versus

EMCIPI ELECTRONICS PVT. LTD. & ORS.Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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28.07.2025

1. This is an appeal filed under Section 37(2) of the Arbitration and Conciliation Act, 1996 against the interim order passed by the Sole Arbitrator on 20th September, 2019.
2. By way of the impugned order, the Arbitral Tribunal appointed a Receiver in respect of the property, Tower-A also known as ABW Tower, IFFCO Chowk, Gurugram. The grievance of the petitioner is that it is a Registered Society comprising of the owners/occupants of ABW Tower and the aforesaid order was passed in the absence of the petitioner and the petitioner was not made party in the arbitration proceedings.
3. The aforesaid order was stayed on the first date of hearing in the present appeal *vide* order dated 21st October, 2019.
4. Counsel for the petitioner submits that the respondent no.2 herein which was the respondent in the arbitration proceedings went into liquidation and therefore, the arbitration proceedings did not proceed further. The



respondent no.1 has already been proceeded against *ex parte* in the present proceedings *vide* order dated 25th April, 2025, passed by the Predecessor Bench.

5. In view of the fact that the matter has been pending before this Court since 2019 and the arbitration proceedings have also not proceeded further, this Court is inclined to dispose of the present petition while confirming the interim order passed this Court on 21st October, 2019.

6. If at all the aforesaid arbitration proceedings are revived, liberty is given to approach this Court.

7. Accordingly, the petition stands disposed of.

AMIT BANSAL, J

JULY 28, 2025

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