

Court No. - 40

Case :- APPEAL UNDER SECTION 37 OF ARBITRATION AND CONCILIATION ACT 1996 DEFECTIVE No. - 374 of 2023

Appellant :- M/S Kaushal Industries

Respondent :- M/S Atul Gnerators Pvt. Ltd.

Counsel for Appellant :- Gaurav Dwivedi

Counsel for Respondent :- Kartikeya Saran,Ujjawal Satsangi

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. List has been revised. None appears for the appellant in revised call. Shri Ujjawal Satsangi appears for the respondent.

2. Present appeal under Section 37 of the Arbitration and Conciliation Act 1996 read with Section 13 (1A) of the Commercial Courts Act, 2015, which is reported to be defective, has been preferred assailing the validity of the judgment and order dated 23.3.2023 passed by the Presiding Officer, Commercial Court, Agra in Arbitration Misc. Case No.47 of 2022 (M/s Kaushal Industries v. M/s Atul Generators Pvt. Ltd.).

3. On the matter being taken up today, learned counsel for the respondent makes a statement at Bar that the matter is already settled between the parties out of Court and nothing survives to be adjudicated in the present appeal.

4. Present appeal is **dismissed** for want of prosecution.

Order Date :- 22.11.2023

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