

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO. 41 OF 2015

ONYX Media
Through Constituted Attorney,
Mr. Fazil Ansari of the Proprietor
Smt. Khushnooda Fazil Ansari
of ONYX Media.

.....Applicant

: V/S :
CINEMAX India Limited
[OR CINE LINE INDIA LIMITED]

.....Respondent

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Mr. Altaf Khan i/by. Mr. Nilesh Acharaya, Advocate for the applicant.

Mr. Chirag Mody i/by. M/s. Ashok Purohit & Co., Advocate for the respondent.

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Coram :- Smt. R.P. SondurBaldota, J.

1st December, 2015.

P.C. :-

1). Mr. Mody, learned Advocate appearing for the respondent, points out that, there is no invocation of the arbitration by the applicant. Perusal of the letters dated 18th October, 2014 and 7th November, 2014 confirms the submission. In both the letters, sent after termination of

the contract, the applicant has stated that, he would be resorting to legal proceedings. In the circumstance, Mr. Khan, learned Advocate appearing for the applicant, seeks to withdraw the application with liberty to file fresh application after invocation of the arbitration. The application is allowed to be withdrawn with liberty as prayed. Needless to state that, the rival contentions as regards the merits of the dispute are left open.

(SMT. R.P. SONDURBALDOTA, J)