

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**SUIT NO.146 OF 2015
WITH
NOTICE OF MOTION NO.248 OF 2015
WITH
LEAVE PETITION NO.320 OF 2014**

M/s. Sunfert International (P) Ltd. and Anr. ... Plaintiffs
versus
M/s. Daewoo International India (P) Ltd.
and Ors. ... Defendants

Mr. Amrut Joshi with Mr. Sharad Kapoor, Mr. Rushabh Sheth, Ms. Pooja Batra
i/by M/s. Bodhanwalla and Co., for Plaintiffs.
Mr. Nikhil Sakhardande with Mr. Ashwin Sood, Mr. Rahul Bothra, i/by M/s.
D.H.Law Associates, for Defendants.

CORAM: S.J. KATHAWALLA, J.

DATE: 3rd JULY, 2015

PC.:

1. The learned Advocate for the Defendants on instructions, states that the Defendants have not filed an Appeal from the Arbitral Award dated 30-04-2015. In view thereof, the learned Advocate for the Plaintiffs seeks to withdraw the above Suit, Notice of Motion and the Leave Petition, subject to their right to file a Suit for damages against the Defendants being kept open. In view thereof, the above Suit, Notice of Motion and the Leave Petition are disposed of as withdrawn with liberty to the Plaintiffs to file the suit for damages against the Defendants. However, in the event of the such a suit

being filed by the Plaintiffs against the Defendants, the same shall be decided on its own merits and all contentions of the parties are kept open. Refund of Court Fees, if any, as per rules.

(S.J.KATHAWALLA, J.)