

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***ORDINARY ORIGINAL CIVIL JURISDICTION*****ARBITRATION PETITION NO. 407 OF 2015****Mrs. Bharati Surendra Khandhar & Ors. Petitioners****VERSUS****M/s.India Infoline Finance Limited & Anr. Respondents**

Mr.A.Davar, a/w. Mr.Deepak Shukla, i/b. M/s.Vinod Mistry & Co. for the Petitioners.

None for the Respondents.

CORAM : R.D. DHANUKA, J.**DATED : 7th AUGUST, 2015****P.C.**

Mr.Davar, learned counsel appearing for the petitioners seeks liberty to withdraw this petition inter lia praying for termination of the mandate of the learned arbitrator and for appointment of another arbitrator on the ground that the learned arbitrator has already rejected the application filed by the petitioners and has refused to terminate his mandate. It is submitted that the learned arbitrator has also rejected the application filed by the petitioners under section 13 and seeks liberty to impugn the said order passed under section 13 alongwith the final award if the same is decided against the petitioners.

2. It is made clear that insofar as order passed by the arbitral tribunal rejecting the application of the petitioners to terminate the mandate is concerned, the same has achieved finality. It is however made clear that if the impugned award is decided against the petitioners, the petitioners would be at liberty to challenge the said final award alongwith the order passed by the learned arbitrator on the application of the petitioners under section 13. Petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]