

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN
&
THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN**

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

Arb.A.No. 27 of 2012 ()

**AGAINST THE ORDER/JUDGMENT IN OPARB 178/2008 of I ADDL.DISTRICT COURT,
ERNAKULAM DATED 06-01-2012**

APPELLANT/PETITIONER:

**UNION OF INDIA,
REPRESENTED BY THE CHIEF ENGINEER, NAVAC, EZHIMALA.P.O
ETTIKULAM, KANNUR-670 308,
(PRESENTLY THE OFFICE IS FUNCTIONING AT KATARIBAGH
NAVAL BASE.P.O, KOCHI-682 004
AND RENAMED AS CHIEF ENGINEER (NW), KOCHI).**

BY ADV. SRI.THOMAS MATHEW NELLIMOOTTIL, SR.PANEL

RESPONDENT/RESPONDENT:

**M/S.B.E. BILLIMORIA & CO.LTD,
SHIV SAGAR ESTATE, 'A'BLOCK, 2ND FLOOR
DR.A.B.ROAD, WORLI, MUMBAI-400 018.**

**BY ADVS. SRI.K.L.VARGHESE (SR.)
SMT.SANTHA VARGHESE
SRI.RAHUL VARGHESE
SRI.RANJITH VARGHESE**

**THIS ARBITRATION APPEALS HAVING BEEN FINALLY HEARD ON 22-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

vpv

P.N.RAVINDRAN & ANU SIVARAMAN, JJ.
=====

Arbitration Appeal No.27 of 2012
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Dated this the 22nd day of July, 2015

JUDGMENT

P.N.Ravindran, J.

This appeal arises from the order passed by the Court of the District Judge of Ernakulam on 6.1.2012 in O.P.(Arb.)No.178 of 2008. The appellant is the petitioner therein. By order passed on 6.1.2012, the court below allowed O.P.(Arb.)No.178 of 2008 in part and set aside the award passed by the Arbitrator on claims 9 to 13 and 13A to 13E. The petitioner in O.P.(Arb.)No.178 of 2008 has aggrieved thereby filed this appeal contending that the award should have been set aside in respect of claim No.7 as well.

When the appeal came up for hearing today, Sri.Thomas Mathew Nellimoottil, learned Senior Panel counsel for the Government of India submitted that the appellant is not desirous of prosecuting the appeal any further. In the light of the aforesaid submission, this appeal is dismissed as not pressed.

Sd/-
P.N.RAVINDRAN
JUDGE

Sd/-
ANU SIVARAMAN
JUDGE

/true copy/

P.A. To Judge