

**A.No.472 of 2013
and
O.A.No.665 of 2012**

K.RAVICHANDRABAABU, J.

O.A.No.665 of 2012 is filed under Section 9 of the Arbitration and Conciliation Act seeking for interim injunction restraining the respondents from causing further loss to the applicant by substituting any other person in the place of the applicant by calling for fresh tender or otherwise till the expiry of the contract period and the extension period, pending disposal of the arbitration proceedings.

2. This Court, on 10.08.2012, granted an order of *status quo* which is being extended periodically and it is still in force. Today, when the matter is taken up for hearing, learned counsel for the applicant sought for further time to argue the matter. On the other hand, learned counsel appearing for the respondents submitted that the prayer sought for in this application has become infructuous in view of the fact that the original contract period expired as early as on 30.11.2011 and the extended period of contract thereafter also expired on 30.11.2012. Therefore, he submitted that the interim prayer sought for in this application has become infructuous as the applicant himself has sought for interim injunction till the expiry of the contract period and the extended period.

K.RAVICHANDRABAABU.,J.

Vsi

3. The above said contentions of the learned counsel for the respondents is not disputed by the learned counsel for the applicant, on the other hand, it is contended by him that the applicant is having some other contract with the respondents.

4. Needless to say, insofar as the present proceedings are concerned, the interim order sought for was in respect of the subject matter of contract, that too, till the expiry of such contract period. As it is seen that the very contract period had already expired on 30.11.2011 and even the extended period of contract also expired on 30.11.2012, I find that nothing survives in this application to be adjudicated upon as the very prayer sought for in this application has become infructuous. Accordingly, Original Application No.665 of 2012 is dismissed, however, with liberty to the applicant to work out his remedy before the arbitration proceedings which is said to be pending. Consequently, Application No.472 of 2013 to vacate the order of *status quo* dated 10.08.2012 is allowed.

30.09.2015

vsi

A.No.472 of 2013

