

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.5863 OF 2016
IN
ARBITRATION APPEAL NO.15 OF 2009

NILKANTH SONYABAPU GAJBHIV
AND ANOTHER

APPLICANTS

VERSUS

HINDUSTAN PETROLEUM CORPORATION
AND OTHERS

RESPONDENTS

Mr.S.V.Natu, Advocate for the applicants.

Mrs.C.S.Deshmukh h/f Mr.V.S.Badakh, Advocate for respondent No.1.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 29/04/2016

PER COURT :

1. The applicants contend that this Court, by its order dated 20/01/2016, had directed the production of the record which was before the Arbitrator. Grievance is that non production of the record by the non-applicant / Corporation has become an impediment for the hearing in Arbitration Appeal No.15/2009. It is, therefore submitted that the Arbitration Appeal itself be dismissed as the Corporation / Appellant does not desire a hearing in the matter and hence is holding back the record.

2. Mrs.Deshmukh, learned Advocate appearing on behalf of the

non applicant/original appellant submits that both the litigating sides are exploring the possibility of a settlement. If the settlement is not arrived at, the record can be produced.

3. In the light of the above, this application is disposed of with the direction that if the litigating sides do not succeed in settling their dispute, the appellant shall produce the record before this Court on 14/06/2016. Arbitration Appeal No.15/2009 to be listed for hearing on 14/06/2016.

(RAVINDRA V. GHUGE, J.)