

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****ARBITRATION APPEAL NO.13 OF 2016****M/s.Ambarwadikar Industries Pvt. Ltd.****..... Appellant****VERSUS****M/s.Karmaveer Kakasaheb Wagh****Sahakari Sakhar Karkhana Ltd. & Ors.****..... Respondents**

Mr.Suresh Sabrad, i/b. Mr.Kayval Shah for the Appellant.

Ms.Bhavna Kichi i/b. Mr.Ashish Gaikwad for the Respondent no.1.

Mr.Siddhesh Pilankar, i/b. Mr.Uday Warunjikar for the Respondent no.2.

CORAM : R.D. DHANUKA, J.**DATE : 1st JULY, 2016****P.C.**

I have perused the impugned order passed by the learned District Judge-1, Niphad. The impugned order passed by the learned District Judge is not appealable under section 37 of the Arbitration and Conciliation Act, 1996. The appeal is thus not maintainable.

2. At this stage, Mr.Sabrad, learned counsel appearing for the appellant seeks permission to withdraw this appeal with liberty to file appropriate proceedings.

3. Request of the learned counsel for the appellant is granted. Arbitration appeal is dismissed as withdrawn with liberty as prayed. In view of the withdrawal of the appeal, civil application filed by the appellant does not survive and is accordingly disposed of.

[R.D. DHANUKA, J.]