

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL No. 763 OF 2004
IN
ARBITRATION PETITION No. 19 OF 2002
WITH
NOTICE OF MOTION No. 3689 OF 2004

Anagha A. Tikotekar ... Appellant
Vs.
M/s. Khandwala Finance Ltd. & Anr. ... Respondents

Ms. Shweta Sanglani i/b Omkar Mulekar, for the Appellant.
Mr. Simil Purohit i/b Purohit & Co., for the Respondents.

CORAM : V. M. KANADE, &
Smt. SWAPNA S. JOSHI, JJ.

DATE : SEPTEMBER 1, 2016

PC.

1. Upon a suggestion being made by this Court, both the parties have sought to resolve their dispute and difference, and we are informed by both the counsel appearing for the respective parties that the matter has been settled out of Court. The learned counsel appearing for the Respondents submits that both parties do not have

any claim against each other, and neither party shall continue any proceeding either for execution of the award or for filing a fresh claim before the arbitrator. Statement is accepted. The Appellant is present in the Court. In view of this, the question of execution of the award, therefore, does not arise. In view of this statement, appeal does not survive. It is made clear that neither party will raise any claim in respect of NSE and BSE transaction. The amount deposited by the Appellant may be withdrawn by him alongwith the interest, which is accrued thereon. Appeal is accordingly disposed of.

2. In view of disposal of the appeal, Notice of Motion No. 3689 of 2004 filed therein does not survive and is accordingly disposed of.

Sd/-
[Smt. SWAPNA S. JOSHI, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath