

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 969 OF 2005

IN

ARBITRATION PETITION NO. 478 OF 2001

...

Banhem Securities Pvt. Ltd.

....Appellants.

Vs.

Madu Kukar & Anr.

....Respondents.

WITH

APPEAL NO. 970 OF 2005

IN

ARBITRATION PETITION NO. 477 OF 2001

Banhem Securities Pvt. Ltd.

....Appellants.

Vs.

Vikas Kukar & Anr.

....Respondents.

...

Mr. Birendra Saraf a/w Ms. Faiza Dhanani I/by M/s. Dhruve Liladhar
& Co. for the Appellants.

Mr.Gaurav Choray I/by Advani & Co. for the Respondent No.1.

Mr.Khurshid, Representative of the Appellants.

...

**CORAM : ANOOP V. MOHTA &
A.A.SAYED, JJ.****DATED : 18 MARCH 2016****ORDER:**

By consent of parties taken up for final hearing from final hearing Board.

2. In continuation of order dated 17 March 2016 learned Counsel for the contesting Respondent No.1, on instructions, states that the Respondent No.1 has no objection for withdrawal by the Appellants of the Appeals as well as the Arbitration Petitions in which the impugned order was passed by

the learned Single Judge. The Appeals and Arbitration Petitions shall accordingly stand withdrawn. Consequently, the awards passed by the learned Arbitrator in favour of the Respondents would revive.

3. A statement is made by learned Counsel for the Appellant on instructions that requisite amount is already deposited with NSE and they have no objection to the Respondents withdrawing the amount so deposited with accrued interest, if any. The statement is accepted.

4. In view of the above, impugned order dated 19 July 2014 does not survive.

5. Both the Appeals are disposed of accordingly.

(A.A. SAYED, J.)

(ANOOP V. MOHTA J.)