

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.120 of 2016

ORDER:

This petition is filed to withdraw O.P.No.2530 of 2015 and E.P.No.37 of 2016 from the file of IX Additional Chief Judge, City Civil court, Hyderabad and transfer the same to XXIV Additional Chief Judge, City Civil Court, Hyderabad or to any other Additional Chief Judge Court to be tried along with O.P.No.7 of 2016.

2. Petitioner herein filed O.P.No.7 of 2016 to set aside arbitration Award invoking Section 34 of the Arbitration Act and in respect of very same Award, opposite party i.e., first respondent herein filed O.P.No.2530 of 2015 questioning very same award and also filed E.P.No.37 of 2016 for enforcing very same award.

3. First respondent filed counter affidavit disputing the affidavit averments of petitioner.

4. Heard both sides.

5. From the submissions of both sides, it is clear that all these matters have to be tried by one Court to avoid conflicting opinions. Admittedly, two matters are pending before IX Additional Chief Judge, which are filed earlier in point of time and other matter, which is filed recently in the year 2016 is pending before XXIV Additional Chief Judge, City Civil Court.

6. Considering the contentions and rival contentions of both parties, without prejudice to the rights of both parties, O.P.No.7 of 2016 is withdrawn from the file of XXIV Additional Chief Judge, City Civil Court, Hyderabad and transferred to IX Additional Chief Judge, City Civil Courts, Hyderabad to be tried along with

O.P.No.2530 of 2015 and E.P.No.37 of 2016 in accordance with law.

7. Accordingly, this Transfer Civil Miscellaneous Petition is ordered. No costs. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

S. RAVI KUMAR, J

Date: 15-03-2016

gvl