

\$~7

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO(OS) 662/2015**

SANJAY GUPTA

..... Appellant

Represented by: Mr.Ateev Mathur, Ms.Richa Oberoi, Advs.

versus

DEEPAK GUPTA & ORS

..... Respondent

Represented by: Mr.Abhay Sahai, Adv.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

15.03.2016

%

1. Impugned order has disposed of a petition under Section 9 of the Arbitration and Conciliation Act. It is apparent that the main dispute between the parties had to be resolved through arbitration.
2. Learned counsel for the parties state that after the impugned order was passed the Arbitral Tribunal has pronounced an award on March 12, 2016.
3. If that be so, nothing survives in the instant appeal for the reason the interim measure which the appellant was seeking would have inured till the award. The award has been pronounced.
4. It would be for the parties to abide by the award or take action as per law.

5. Noting that an unjustified cost in sum of ₹1 lakh has been imposed we dispose of the appeal declaring that the substantive issue raised in the appeal as having been rendered infructuous. Cost in sum of ₹1 lakh imposed vide impugned order dated October 12, 2015 is waived.

6. There shall be no order as to cost in appeal.

CMs.29592-29593/2015

Dismissed as infructuous.

PRADEEP NANDRAJOG, J.

MUKTA GUPTA, J.

MARCH 15, 2016

‘ga’