

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

**COMMERCIAL ARBITRATION PETITION NO. 124 OF 2017**

Kalpataru Power Transmission Ltd. .. Petitioner

v/s.

Vishal Ratnakar .. Respondent

**WITH  
EXECUTION APPLICATION (L) NO. 1515 OF 2017**

Vishal Ratnakar .. Applicant

v/s.

Kalpataru Power Transmission Ltd. .. Respondent

Mr. Karl Tamboli, Counsel a/w Hrushi Narvekar & Utkarsh S. i/b Bharucha & Partners for the petitioner in CARBP-124/17 and for the respondent in Execution Appln.(L)-1515/17

Mr. Anand Kumar i/b Daulat A. Jehangir for the respondent in CARBP-124/17 and for the applicant in Execution Appln.(L)-1515/17

Mr. Vishal Ratnakar, respondent / applicant in person present

**CORAM : M.S. SANKLECHA, J.  
DATED : 21<sup>st</sup> SEPTEMBER, 2017**

**PC.**

1. The Arbitration Petition has been filed under Section 34 of the Arbitration and Conciliation Act, 1996 (the Act) challenging the Award dated 10<sup>th</sup> October, 2016 as corrected by Award dated 29<sup>th</sup>

November, 2016 passed by the Arbitral Tribunal.

2. Pending consideration of the challenge under Section 34 of the Act, the respondent in the petition had filed execution application seeking to execute the Award dated 10<sup>th</sup> October 2016 read with correction Award dated 29<sup>th</sup> November 2016. The petitioner and the respondent in the Arbitration Petition under Section 34 of the Act and the applicant and the respondent in the Execution Application u/s 36 of the Act have reached the settlement and in terms of the Consent Terms dated 21<sup>st</sup> September, 2017 duly executed by the authorized representative of the petitioner in the arbitration petition and the applicant in the execution application. The signatures of the representative of the petitioner as well as the respondent in the Arbitration Petition and the Execution Application respectively have been identified by its advocates appearing for the petitioner. Similarly, the signatures of the respondent as well as the applicant in the Arbitration Petition and the Execution Application respectively have been identified by its advocate appearing for it. The copies of the identification cards namely Adhar Card has been annexed to the Consent Terms as also the authorization on behalf of the petitioner

company to Mr. Rajkumar Mandal, who is a signatory to the Consent Terms. The Consent Terms are taken on record and marked "A" for identification.

3. The Arbitration Petition and the Execution application stands disposed of in terms of Consent Terms dated 21<sup>st</sup> September, 2017.
4. Refund of Court fees, if any, according to the Rules.

**(M.S. SANKLECHA, J.)**