

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 196 OF 2015**

Refex Energy Limited ...Petitioner

Versus

Punit Construction Company and Anr ...Respondents

None for the Petitioner.

Mr. Kunal Parekh I/b. Thakore Jariwala & Associates for the
Respondents.

**CORAM: G.S. KULKARNI, J.
DATED: 22nd August, 2017**

PC:-

1. Reply affidavit of the respondents is taken on record. None for the petitioner. I have perused the order dated 11/02/2015, the Court has noted that the petition is devoid of any particulars as regards the apprehension which was sought to be made to support the reliefs which are prayed in this petition. Thereafter, on 08/02/2016, a request on behalf of the petitioner that further time was required to file additional affidavit giving the details of the equipments lying at the site which are in possession of the respondents was considered. Two weeks time was granted to file

an appropriate affidavit. Thereafter, again on 22/02/2016 at the request of the petitioner, this petition was adjourned for two weeks. It is informed that no affidavit has been filed on behalf of the respondent.

2. This is a petition of the year 2015. There are no ad-interim orders which are passed in this petition. Today when the petition is listed for hearing, none appears for the petitioner. Considering the nature of the reliefs as sought and the prior conduct of the petitioner, it appears that the petitioner is not interested to prosecute this petition. The petition is accordingly dismissed for non-prosecution. No costs.

(G.S. Kulkarni, J.)