

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

**NOTICE OF MOTION NO.485 OF 2011
IN
ARBITRATION PETITION NO.920 OF 2010**

M/s.Heart & Soul Entertainment Ltd.)....Applicant/Petitioner
V/s.

Mr.Deepak Shivkumar Bahry)....Respondent

Mr.Yasin Mohammed-Director of petitioner company appeared in person.

Mr.Vaibhav Sugdare a/w Ms.Bijal Gandhi i/by Jayakar and Partners for respondent.

CORAM : K.R.SHRIRAM,J

DATE : 7.12.2017

P.C.:-

1 Mr.Yasin Mohammed director of petitioner-company states that this petition was filed under Section 9 of the Arbitration and Conciliation Act 1996 before the arbitration proceedings were commenced. Mr.Yasin Mohammed also states that the arbitration proceeding came to an end with an award in favour of petitioner.

2 It is a different aspect that counsel for respondents states that the award itself has been set aside and fresh arbitration was commenced and in that arbitration proceeding the claim of the present petitioner has been rejected.

3 In the circumstances and particularly in view of the fact that after this petition was filed, arbitration proceedings were commenced and it has culminated in an award, makes this petition infructuous.

Therefore, Notice of Motion accordingly stands disposed.

(K.R.SHRIRAM,J)