

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO. 516 OF 2015

Zarina Izzat Ahmed Dada

...Petitioner

Versus

Mohamed Usman Hasham Dada

...Respondent

Mr.Anjal Amin i/b. B.Amin & Co., for the Petitioner.

Mr.Ruchir Tolat i/b. L.C.Tolat & Co., for Respondent No.2.

CORAM : G.S.Kulkarni, J.**DATE : 4th September, 2017**
----**P.C. :**

1. In pursuance of the earlier order dated 24 August 2017, the petitioner is now represented by Mr.Anjal Amin. Affidavit on behalf of Respondent No.2 is taken on record.

2. Learned Counsel for the parties are *ad idem* that the arbitration proceedings are pending before the learned sole Arbitrator. There is an order dated 31 October 2013 passed in this petition recording a statement as made on behalf of the respondents that respondent nos.1 and 2 who were carrying on the business of partnership firm, would maintain status quo regarding the principal place of business of the partnership firm in terms of prayer clause

b(ii). The said relief continues to operate till date. No other reliefs was canvassed or granted by this Court during the pendency of this petition for last almost about four years.

3. In the circumstances it would be appropriate that the parties are left to agitate their respective claims in the arbitration proceeding pending before the learned sole Arbitrator. If any circumstance so warrants, the parties would always at liberty to move such necessary application under Section 17 of the Arbitration and Conciliation Act, 1996 before the learned Arbitrator. The parties are agreeable that the protection as granted by the order dated 31 October 2013 which is continued to operate till date, can be permitted to operate till the arbitration proceedings are concluded .

4. The petition is disposed of by keeping all contentions of the parties open to be agitated before the learned Arbitrator and by continuation of the relief as granted by this Court by the order dated 31 October 2013 to operate till the conclusion of the arbitration proceedings. No Costs.

[G.S.Kulkarni, J.]