

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.41412 OF 2016

ORDER:

The case of the petitioner is that the 3rd respondent filed Arbitration case against the petitioner before the 2nd respondent for recovery of the amount and the same was registered as A.R.B./Dispute No.91/2014 in which the 2nd respondent passed an award on 29.08.2016 and the said order was communicated to the petitioner on 15.10.2016 for recovery of an amount of Rs.1,61,533/- with interest @ 18% P.A. on the principle amount of Rs.1,49,570/- from the date of filing of the dispute till the date of realization, without considering the payment of an amount of Rs.95,000/- made by the petitioner to the 3rd respondent, pending adjudication of ARB/Disputes No.91 of 2014. Against the same, petitioner preferred an appeal before the 1st respondent along with stay petition. As no orders are passed either in the appeal or stay petition, the present writ petition is filed.

This Court on 29.11.2016 granted interim direction suspending the award passed by the 2nd respondent for a period of eight (08) weeks and also directed the 1st respondent to dispose of the appeal or stay petition.

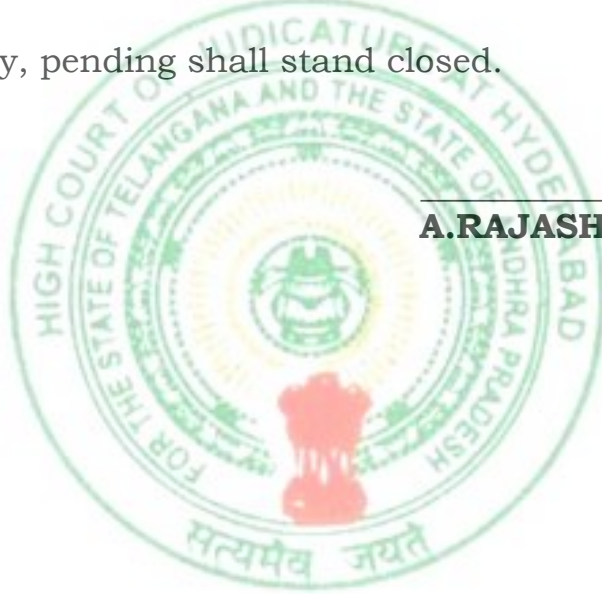
Learned counsel for the petitioner submits that in pursuant to the interim order passed by this Court, no orders are passed on the appeal or stay petition.

Both the counsel submit that the writ petition can be disposed of with a direction to the 1st respondent to dispose of the appeal.

Since it is stated that that the petitioner has already paid an amount of Rs.95,000/- pending adjudication of ARB/Disputes No.91 of 2014 which is not disputed by the 3rd respondent, the 1st respondent is directed to dispose of the appeal filed by the petitioner in accordance with law, within a period of three (03) months from the date of receipt of copy of this order taking into consideration the amount already paid by the petitioner, after issuing notice to the petitioner as well as 3rd respondent and parties to the appeal. There shall be no order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

27.01.2017
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A.RAJASHEKER REDDY,J