

IN THE HIGH COURT OF BOMBAY AT GOA

COMPANY PETITION NO. 25 OF 2015

SHREERAJ ANTIBIOTICS.

... Petitioner

Versus

GOA ANTIBIOTICS AND
PHARMACEUTICALS LIMITED.

... Respondent

Shri Pranay A. Kamat, Advocate for the Petitioner.

Shri Sergoe Pinto, Advocate for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 31st July 2018

P.C.

Shri Kamat, the learned Counsel for the petitioner submits that a notice has been sent to the respondent seeking appointment of an Arbitrator.

2. The learned Counsel for the respondent has produced a letter dated 28.07.2018, addressed to Mr. Pramod Kamat, former District Judge, appointing him as an Arbitrator. There is also a letter dated 28.07.2018 from Mr. Pramod Kamat, accepting the appointment. Both these documents are taken on record and marked 'X' for identification.

3. In view of the fact that an Arbitrator is already appointed to adjudicate the dispute between the parties, Shri Kamat, the

learned Counsel for the petitioner, on instructions, seeks leave to withdraw the petition.

4. The petition is disposed of as withdrawn. Needless to mention that this Court has not expressed any opinion on the merits of the controversy, which shall essentially be gone into by the learned Arbitrator. The rival contentions of the parties are left open.

5. The office shall return the Demand Draft dated 07.11.2017, bearing no. 562346 for Rs.2,50,000/-, lying with the Registry, to the respondent.

6. In the circumstances, there shall be no order as to costs.

C. V. BHADANG, J.

EV