

mujahed

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

NOTICE OF MOTION NO. 242 OF 2014

IN

ARBITRATION PETITION NO. 988 OF 2012

Rahul N. Swami

...Applicant

IN THE MATTER BETWEEN

Rahul N. Swami

...Petitioner

V/s.

Mahindra & Mahindra Financial
Services Ltd

...Respondent

Ms. Sadhana Yadav i/b. Pandey & Co. for Petitioner/Applicant.
Ms. Priya Crasto for Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 14TH MARCH, 2018.

P.C. :-

1. The learned counsel for the respondent invited my attention to the impugned order dated 9th December, 2013 passed by this Court thereby setting aside the impugned award dated 16th February, 2011 on the condition that the petitioner deposit a sum of Rs. 4,00,000/- to the respondent from the date of his award. It was made clear that if the petitioner did not deposit Rs. 4,00,000/- with the respondents within the time prescribed, the petition to stand dismissed without

further reference to this Court.

2. It is not in dispute that the petitioner has not deposited the said amount. In view of the non-compliance of the order passed by this Court on 9th December, 2013, the Arbitration Petition No. 988 of 2012 is dismissed. In view of the dismissal of the arbitration petition, the Notice of Motion No. 242 of 2014 does not survive and is accordingly dismissed. No order as to costs.

(R.D. DHANUKA, J.)