

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

ARBITRATION PETITION NO. 603 OF 2016

E-City Digital Cinemas Pvt.Ltd.

...Petitioner

vs

Rentworks India Pvt.Ltd.

...Respondent

Ms.Warisha Parkar I/b. ALMT Legal for Petitioner.

Mr.Rashmin Jain I/b. Kanga & Co. for Respondent.

CORAM : S.C.GUPTE, J.

DATE : 28 NOVEMBER 2018

P.C. :

This arbitration petition does not survive, since on an application made by the Petitioner under Section 11 of the Arbitration and Conciliation Act, this court has refused to appoint an arbitrator holding *inter alia* that there is no arbitration agreement between the parties. In pursuance of the liberty granted by this court, the Petitioner has filed a suit against the Respondent herein in the City Civil Court at Bombay in respect of the subject matter of the present petition. The Respondent herein has filed a cross suit in this court. The City Civil Court suit has been transferred and tagged along with the Respondent's suit.

The petition, accordingly, does not survive, in the premises and is disposed of as infructuous.

(S.C. GUPTE, J.)