

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMM. ARBITRATION PETITION NO.498 OF 2017

Meghwadi Siddhivinayak CHS Ltd.	... Petitioner
v/s	
A.A. Estate Pvt.Ltd.	... Respondent

Ms Sapna Krishnappa i/b Mr Suresh Dubey for Petitioner.
Mr. Pritvish Shetty i/b M/s Vidhi Partners for Respondent.

CORAM : B.P. COLABAWALLA, J.

DATE : 10th DECEMBER, 2018

P.C.:

1. By this Arbitration petition, the Petitioner (the Respondent before the Arbitral Tribunal) challenges the order passed by the Arbitral Tribunal under which the application filed by the Respondent contending that the supplementary agreement dated 27th December 2014 has not been adequately stamped was rejected by the Arbitral Tribunal. For the reasons recorded in the impugned order, the Arbitrator came to a finding that the application was wholly lacking in merit and substance and hence dismissed the same.

2. It now transpires that during the pendency of this Arbitration Petition, a final award has also been passed by the Arbitrator dated 14th February 2018. In these circumstances, the learned Advocate appearing on behalf of the Petitioner fairly stated that nothing would survive in the present Arbitration petition and hence sought leave to withdraw the same.

3. Considering the statements made by the learned Advocate appearing on behalf of the Petitioner as also the subsequent developments viz. Passing of the final award, nothing survives in this Arbitration petition and it is accordingly dismissed as withdrawn. No order as to costs.

(B. P. COLABAWALLA, J.)