

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

THE HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

and

THE HON'BLE SRI JUSTICE T. AMARNATH GOUD

Civil Revision Petition No.4903 of 2017

Between:

M/s. SREI Equipment Finance Ltd., Plot No.Y-10,
Block E.P. Sector-V, Salt Lake City, Kolkata
and 2 others

... Petitioners

Vs.

M/s. Anil Transport, represented by its Proprietor,
Anil Kumar Hari, S/o Ramachandraiah, aged 45 years,
Occ: Business, R/o 5-9-92/A-1, Kodandaram Residency,
Kishnapura, Warangal.

.. Respondent

For Appellant : Mr. Pavan Kumar Aditya

For Respondents : Mr. B. Jithender

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON'BLE SRI JUSTICE T. AMARNATH GOUD

Civil Revision Petition No.4903 of 2017

ORDER: (V. Ramasubramanian, J)

Challenging the dismissal of the application under Section 8 of the Arbitration and Conciliation Act, 1996, the defendants in the suit have come up with the above revision.

2. After notice was ordered in the above revision, the respondent/plaintiff has filed an affidavit, paragraph 3 of which reads as follows:

"I respectfully submit that after knowing about the stay granted by this Hon'ble High Court, I approached the office of the petitioners company and conveyed my intention to surrender the above mentioned vehicles as I am unable to repay the loan and further handed over the said vehicles to settle the loan amount by selling them to third parties. Further, in view of stay granted by this Hon'ble Court I am unable to withdraw O.S.No.473 of 2016 on the file of Hon'ble II Junior Civil Judge at Warangal filed against the petitioners and I will ensure to withdraw the suit filed by me against the petitioners."

3. In view of the aforesaid undertaking, the Civil Revision Petition is disposed of permitting the respondents to withdraw the suit. Thereafter, it will be open to the respondent to avail the remedies available in terms of the agreement between the parties.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

T. AMARNATH GOUD, J

Date: 25-01-2018

Ksn