

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

CIVIL REVISION PETITION No.5555 OF 2018

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

This civil revision petition under Article 227 of the Constitution arises out of the order dated 03.08.2018 passed by the learned Judge, Commercial Court-cum-XXIV Additional Chief Judge, City Civil Court, Hyderabad, in C.M.A.No.2 of 2018. The said appeal was filed by the first respondent herein, the first respondent in the arbitral proceedings, aggrieved by the order dated 09.05.2018 passed by the arbitral Tribunal in I.A.No.1 of 2018 in A.A.No.59 of 2013. By the said order dated 09.05.2018, the arbitral Tribunal restrained the Superintending Engineer, TDWSP Circle, Rural Water Supply and Sanitation Department, Government of Telangana, Hyderabad, the second respondent herein, from paying the amounts due and payable by it to the first respondent herein. By the order under revision, the appellate Court allowed the appeal and set aside the said order dated 09.05.2018. The I.A. was remitted to the Tribunal for consideration afresh on merits after filing of a counter by the other side. Aggrieved by this order, the claimant in the arbitral proceedings filed this revision petition.

However, Sri J.Prabhakar, learned counsel for the petitioner-claimant, would inform this Court that the amounts due and payable by the second respondent have already been remitted to the first respondent.

Sri B.Vijaysen Reddy, learned counsel appearing for the first respondent, would also confirm this.

In that view of the matter, no adjudication is called for on merits in the present civil revision petition. All issues are left open to be addressed by both parties in the I.A. which has been remitted to the arbitral Tribunal for consideration afresh on merits.

The civil revision petition is accordingly closed.

Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

SANJAY KUMAR,J

Date: 10.10.2018
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M. GANGA RAO, J

