

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

**NOTICE OF MOTION NO.1361 OF 2019
IN
ARBITRATION PETITION NO. 1230 OF 2016**

Oriental Insurance Company Ltd.	...	Applicant (Original Petitioner)
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In the matter between :

Oriental Insurance Company Ltd.	...	Petitioner
Vs.		
HRIM Finance & Securities Pvt. Ltd.	...	Respondent

Ms. Ruchika Dave i/by Mr. A.S. Vidyarthi for the Applicant/Petitioner.
None for the Respondent.

**CORAM : R.D. DHANUKA, J.
DATE : 16th JULY, 2019**

P.C.:

1 The applicant seeks permission to withdraw the amount of Rs.7,15,576/- with accumulated interest. The applicant had deposited the said amount pursuant to the order dated 10th October 2014 passed by this Court. At the stage of admission of arbitration petition, by an order dated 30th March 2017, this Court was pleased to set aside the award dated 19th October 2013 and the sole arbitrator was appointed to decide the dispute between the parties. The parties thereafter filed consent terms dated 7th

August 2018 before the learned Arbitrator. In Clause 5 of the consent terms, it was agreed that the amount of Rs. 7,15,576/- alongwith interest, accrued thereon, which has been deposited by the applicant in this Court in Arbitration Petition No. 368 of 2014 will be withdrawn by the applicant and the respondent will not raise any objection for such withdrawal.

2 Learned counsel for the applicant states that in terms of the said consent terms dated 7th August 2018, the applicant has already deposited Rs.4,51,520/- with the respondent and produces the proof in support of Annexure "F" to the Notice of Motion.

3 For the aforesaid reasons, Notice of Motion is made absolute in terms of prayer clause (a).

4 Prothonotary and Senior Master to act as per authenticated copy of this order.

(R.D. DHANUKA, J.)