

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

NOTICE OF MOTION NO.875 OF 2019
IN
APPEAL (L) NO.432 OF 2018
IN
ARBITRATION PETITION NO.585 OF 2014

Jani Clancey and Richards ..Applicant

IN THE MATTER BETWEEN

Jani Clancey and Richards ..Appellant

Versus

India Infoline Ltd. ..Respondent

Ms. Prachi Pandya i/by Corporate Attorneys, Advocate for the
Applicant/Appellant.

Mr. P. N. Modi, Senior Advocate a/w Mr. Neville Lakshari, Ms. Jyoti
Ghag & Mr. Ganesh Ambekar i/by Thakore Jariwala & Associates,
Advocates for the Respondent.

CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.
DATE : 5th DECEMBER, 2019

P.C.

1] Learned counsel for the Applicant/Appellant states that if
it is clarified that all issues on remand could be decided afresh in
Arbitration Petition No.585 of 2014 with specific clarification that
what has been observed in paragraph 6 of the order dated on July 15,
2019 would not be treated as conclusive opinion of facts noted

therein, the application may be disposed of.

2] Suffice it to state the signature-tune order dated July 15, 2019 was to bring out the point that the impugned judgment does not reflect an application of mind with respect to the various contentions advanced before the learned Single Judge.

3] Thus, so clarifying and categorically observing that nothing contained the order dated July 15, 2019 shall be treated as a conclusive opinion on question of fact or law requiring Arbitration Petition No.585 of 2014 to be disposed of afresh on merits as per law. The application is disposed of.

**Balaji G.
Panchal**

Digitally signed by
Balaji G. Panchal
Date: 2019.12.06
10:31:15 +0530

SMT. BHARATI DANGRE, J

CHIEF JUSTICE