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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM ARBITRATION PETITION (L) NO. 1307 OF 2019**

Apana Logistics Pvt Ltd	...Petitioner
<i>Versus</i>	
Container Corporation of India Ltd	...Respondent

Mr Shyam Kapadia, *with Abhishek Paranjpe, & Ekta Tripathi, i/b MDP & Partners, for the Petitioner.*
Mr Kaustav Talukdar, *with Ruturaj Barkar, i/b Lex Legal & Partners, for the Respondent.*

CORAM: G.S. PATEL, J.
DATED: 13th November 2019

PC:-

1. On instructions the learned Advocate for the respondents states that the respondents have not given effect to their termination dated 3rd September 2019 of the contract dated 14th February 2018. The term of that contract is until 2022. The contract, therefore, subsists.
2. The statement of the respondents is noted and accepted.
3. In view of this, nothing survives in the Section 9 petition. Mr Kapadia seeks leave to withdraw the petition with liberty.

4. Liberty, therefore, to the petitioner to approach the Court in a fresh petition should the respondents seek to revive or renew that termination of the contract in question, and which they agree they will not do without advance written notice of at least three weeks to the Advocates for the petitioner. Should the respondents issue a fresh termination notice the contractual provisions will prevail.

5. The commercial arbitration petition is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)