

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

ARBITRATION PETITION NO.59 OF 2016

India Factoring And Finance Solutions Private LimitedPetitioner

vs

Manoj Kr. And Anil Kr. Engineering
Private Limited and 10 Ors.

...Respondents

.....

Mr. Vivek Patil, i/b. Vivek Patil & Associates, for the Petitioner.

Mr. Devasis Mitra, a/w. Ms. Devrupa Dey and Ms. Sheetal D. Parmar, i/b.
Legal Assistance, for Respondent No.1.

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CORAM : S.C. GUPTE, J.

DATED: 8 JANUARY, 2019

P.C.:

. Learned Counsel for the Respondents submits that a winding up petition has been admitted by Calcutta High Court against the Respondent Company by an order dated 27 September 2018. Be that as it may, learned Counsel for the Petitioner submits that his client will take steps for appointment of the arbitrator and will take the present matter before the arbitrator under Section 17 of the Arbitration and Conciliation Act, 1996 and that, accordingly, the present petition may be disposed of as not pressed with liberty to apply for appropriate reliefs under Section 17 before the arbitrator. The petition is, accordingly, dismissed as not pressed with liberty as prayed for. No order as to costs.

(S.C. GUPTE, J.)