

**FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR**

C.A.M. NO. 33/2019 IN ARBITRATION APPEAL STAMP NO. 20675/2019
(M/S KRUSHNAKUMAR GOKULCHAND **VERSUS** THE DISTRICT SUPPLY OFFICER, BULDANA &
OTHERS)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M. Deo, counsel for applicant.
Shri H.D. Dubey, A.G.P. for non-applicants.

CORAM : A.S. CHANDURKAR, J.

DATE : NOVEMBER 20, 2019.

Though the prayer for condoning delay is opposed by the learned Assistant Government Pleader, considering the reasons mentioned in the application the delay stands condoned.

The civil application is allowed and disposed of.

ARBITRATION APPEAL STAMP NO. 20675/2019.

It is submitted by the learned counsel for the appellant that in view of the decision in *Kinnari Mullick & Another Versus Ghanshyam Das Damani* [(2018) 11 SCC 328], the proceedings under Section 34 of the Arbitration and Conciliation Act, 1996 could not have been remanded to the Arbitrator.

Issue notice for final disposal of the appeal returnable on 05.12.2019.

Learned Assistant Government Pleader Shri H.D. Dubey waives notice on behalf of the respondents.

C.A.M. NO. 34/2019.

It is submitted by the learned counsel for the applicant that in view of the decision in *Kinnari Mullick & Another Versus Ghanshyam Das Damani* [(2018) 11 SCC 328], the proceedings under Section 34 of the Arbitration and Conciliation Act, 1996 could not have been remanded to the Arbitrator.

Issue notice to the non-applicants returnable on 05.12.2019.

Learned Assistant Government Pleader Shri H.D. Dubey waives notice on behalf of the non-applicants.

Ad-interim relief in terms of Prayer Clause (I).

JUDGE

APTE