

HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

AND

HON'BLE SRI JUSTICE K. LAKSHMAN

COMCA No.39 OF 2019

JUDGMENT: (Per Hon'ble Sri Justice M.S. Ramachandra Rao)

Heard Mr. R. Haresh, learned counsel for the appellant and Mr. A. Krishnam Raju, learned counsel for respondent No.1.

2. In this appeal, the appellant - petitioner has assailed the order, dated 21.01.2019, passed by the Judge, Commercial Court - cum - XXIV Additional Chief Judge, City Civil Court, Hyderabad, in C.O.P No.7 of 2017, rejecting the relief to the petitioner under Section 9 of the Arbitration and Conciliation Act, 1996 restraining the 1st respondent from executing the contract of the 2nd respondent pursuant to a preliminary work order, dated 18.05.2013 and to direct the 2nd respondent to withhold the amount of Rs.22,51,42,282/- of the petitioner company.

3. The learned counsel for the 1st respondent states that the contract pursuant to the said work order has already been executed and all payments have been made by the 2nd respondent to the 1st respondent.

4. In that view of the matter, we do not see any merit in this appeal and accordingly the same is dismissed. No order as to costs.

As a sequel, miscellaneous applications, if any, pending in this appeal shall stand closed.

M.S. RAMACHANDRA RAO, J

K. LAKSHMAN, J

October 22, 2019

Mgr