

AP 252 of 2020
IA No.GA 1 of 2020

IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

RONGXIN POWER ELECTRONICS PRIVATE LIMITED
VS
JAYA ENGINEERS AND CONTRACTORS

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 7th October, 2021.

Appearance:
Mr. Ranjan Deb, Sr. Adv.
Mr. Barnik Ghosh, Adv.

Mr. Sailendra Kumar Tiwari, Adv.
Mr. Moti Sagar Tiwari, Adv.

The Court: Learned counsel appearing for the petitioner seeks to withdraw the arbitration petition which was originally filed for extension of time for the Tribunal to publish the arbitral award. Counsel relies on the minutes of meeting held between the petitioner and the respondent on 16th September, 2021 which states, inter alia, that the petitioner confirmed withdrawal of its claim in the arbitration proceedings between the petitioner and the respondent and shall take steps for a formal closure of the arbitration proceedings after signing of the minutes. The minutes have been signed on behalf of both the petitioner and the respondent. The intention of the petitioner to withdraw the arbitration petition would further be evident from a e-mail of 6th October, 2021 written by the petitioner to its advocate-on-record which notes that the disputes have been amicably settled between the parties and the minutes of meeting have been drawn up to that effect. The e-mail also records that both the parties have agreed to withdraw their claims and counter-claims and the advocate-

on-record has, accordingly, been instructed to take necessary steps to withdraw AP No.252 of 2020.

Upon considering the above documents, this Court is of the view that AP No.252 of 2020 may be permitted to be withdrawn.

AP No. 252 of 2020 is, accordingly, dismissed as withdrawn. Interim orders, if any, shall stand vacated and all connected applications shall be disposed of in terms of this order.

The minutes of the meeting and the e-mail are kept on record.

(MOUSHUMI BHATTACHARYA, J.)

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