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AP 155 OF 2006
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE
(Via Video Conference)

MADHYA PRADESH IRON & STEEL CO. LTD.
Versus
BHARAT HEAVY ELECTRICALS LTD.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 9th April, 2021.

Appearance:

Mr. Utpal Bose, Sr, Adv.

Mr. D. N. Sharma, Adv.

Mr. Anunoy Basu, Adv.

...For the Petitioner

Mr. Pradip Dutta, Adv.

Mr. Surajit Chakraborty, Adv.

...For the Respondent

The Court: The petitioner was not permitted to withdraw the application on the last occasion for setting aside of the impugned order since the respondent award holder was not represented.

Learned Counsel for the respondent award holder, who is present in Court today, submits that he has no objection to the arbitration petition being withdrawn.

This Court has considered the reason stated in a supplementary affidavit filed on behalf of the petitioner to the effect that the petitioner seeks withdrawal of the present application by reason of BIFR's scheme which was sanctioned and is under implementation and which would now

be treated as a deemed Resolution Plan in view of a notification issued by the Minister of Corporate Affairs on 24th May, 2017. This Court is of the view that the reason stated in the supplementary affidavit can be deemed to be a sufficient reason for seeking withdrawal of the present application.

In view of the above, AP No.155 of 2006 is dismissed as withdrawn. Interim order and connected applications, if any, shall stands dismissed.

(MOUSHUMI BHATTACHARYA, J.)

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