

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

**NOTICE OF MOTION NO. 3 OF 2019
IN
ARBITRATION PETITION NO. 1357 OF 2018**

Kalpataru Ispat Pvt. Ltd.Applicant

In The Matter of :

Kalpataru Ispat Pvt. Ltd.Petitioner

V/s.

Pragati Steel & Anr.Respondents

Mr. Devendra Tiwari i/b Law Chambers of Siddarth Murarka for Petitioner/
Applicant;

Ms. Jaymala Ostwal a/w Ms. Komal Gosavi i/b M/s. JJ Associates for
Respondents.

CORAM : K.R.SHRIRAM, J.

DATED : 12th JANUARY 2021.

PC. :

1. This is an application for restoration of a petition which came to be dismissed for default pursuant to the order dated 12th December, 2018. I have seen the explanation given in the affidavit in support. In view thereof, the petition is restored to file.

2. At the same time, reliefs sought in paragraph no. 24 of the main petition is so general that it cannot be granted. The main petition is for protection post award. The award is dated 06th April, 2018. The petition

has been filed on 19th November, 2018 and we are today at 12th January, 2021. Mr. Tiwari states petitioner has also filed execution application for executing the award as if it were decree of the court. Mr. Tiwari states even in the execution application petitioner has taken application for attachment of the properties of respondent. In view thereof, nothing survives in this petition.

3. Petition dismissed.

4. Petitioner is at liberty to pursue all its remedies in accordance with the law in the execution application filed.

(K.R. SHRIRAM, J.)