

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

ARBITRATION APPEAL NO. 8 OF 2021

(Nitin Vitthalrao Bhatkar ..vs.. Sachin Ramesh Sawarkar and another)

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

Court's or Judge's orders

Mr. Deoul Pathak, Counsel for the appellant,
Mr. R.D. Dharmadhikari, Counsel for respondent 1,
Mr. P.R. Pande, Counsel for respondent 2.

CORAM : ROHIT B. DEO, J.

DATED : 30-11-2021

After a prolonged hearing, in which the jurisdiction of the learned Judge to entertain the application under Section 9 of the Arbitration and Conciliation Act, 1996 was debated, the parties agree that the order impugned be quashed and set aside leaving all contentions open to be adjudicated before the learned Arbitrator who is already appointed.

2. On behalf of Mr. Nitin Vitthalrao Bhatkar the learned Counsel Mr. Deoul Pathak states that no third party rights and interest shall be created in any property which is the subject matter of the order impugned, till the learned Arbitrator considers and decides the application for interim relief/order which Sachin Ramesh Sawarkar and Rahul Ramesh Sawarkar may prefer.

3. The order impugned is quashed with consent.

4. The appeal is disposed of accordingly.

JUDGE

adgokar