

A.No.4829 of 2012

ABDUL QUDDHOSE, J.

This application has been filed under Section 9 of the Arbitration and conciliation Act, seeking for a direction to the respondent to furnish security to an extent of Rs.10,20,788.42. On the date of filing the application, the applicant has contemplated to invoke arbitration clause as per in the contract. The bill of lading dated 25.10.2008 is the subject contract. The Arbitration and Conciliation Act 1996, contemplates early resolution of disputes.

2. In this application no interim order of protection has been obtained by the applicant and only notice was issued to the respondent on 05.11.2012.

3. This Court has also not been informed as to the present status of the Arbitral dispute between the parties. No useful purpose will be served if the application is still kept pending that too when the amended Arbitration and Conciliation Act contemplates entertaining application under Section 9 of the Arbitration and Conciliation Act before commencement of arbitration only under extra ordinary circumstances.

4. For the foregoing reasons, there is no merit in this application. Accordingly, this application is dismissed.

02.08.2021.

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