

**CMP No.18265 of 2021**  
**in WA No.3 of 2021**

**THE HON'BLE CHIEF JUSTICE**  
**and**  
**P.D.AUDIKESAVALU, J.**

(Order of the Court was made by the Hon'ble Chief Justice)

This application is not maintainable and totally misconceived since the court has been rendered functus officio upon the appeal being disposed of by an order dated March 11, 2021.

2. As would be evident from the relevant order, a circular dated May 26, 2008 was quashed by the order impugned in the appeal and the matter was remanded by the Single Bench to the third respondent in the appeal for a fresh consideration and determination of rental charges. Upon the appeal being preferred, the finality of the order passed by the Single Bench was undone and, in course of the appeal, the parties agreed to refer all their disputes to arbitration.

3. The application has been filed upon the respondent in the appeal suggesting before the agreed arbitral tribunal that since the

circular had been quashed and the quashing of the circular was not undone in course of the appeal, the relevant circular could no longer be looked into.

4. No clarification as sought is necessary as it is open to the learned Arbitrator to interpret and assess as to whether the order quashing the circular, upon being appealed against and upon a consent order being passed thereon, may be regarded as final or not.

CMP No.18265 of 2021 is disposed of. There will be no order as to costs. WA No.3 of 2021 should be regarded as having been disposed of.

(S.B., CJ.) (P.D.A., J.)  
12.11.2021

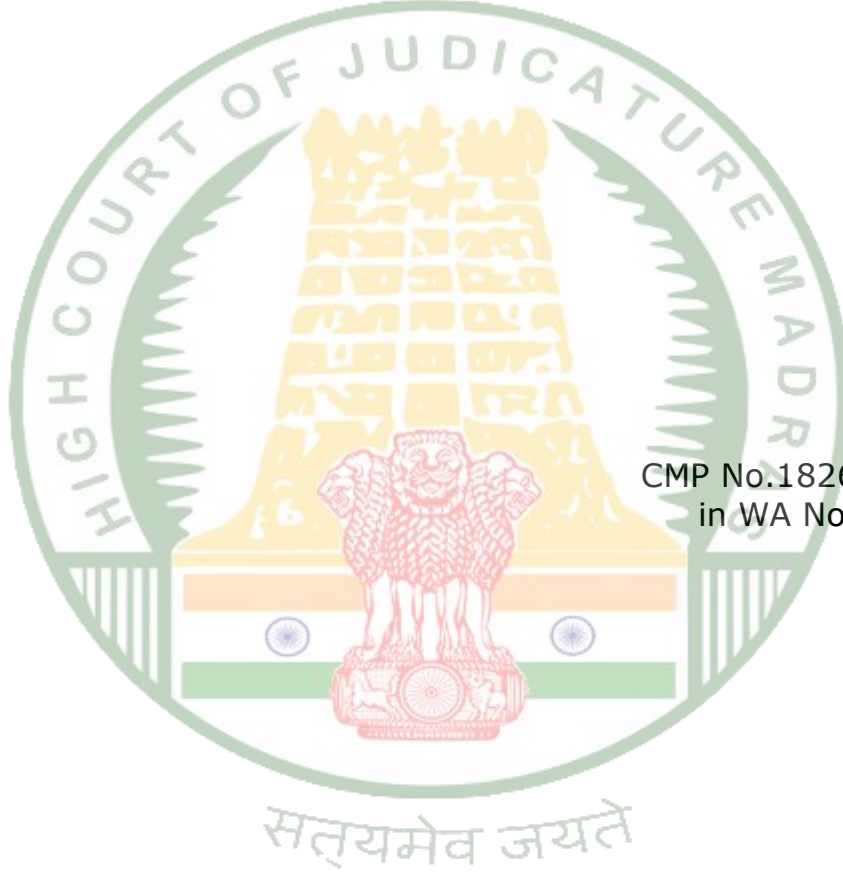
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