

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

ARBITRATION APPEAL (ST). NO. 25191 OF 2021

**WITH
INTERIM APPLICATION NO. 287 OF 2022
WITH
INTERIM APPLICATION NO. 288 OF 2022
IN
ARBITRATION APPEAL (ST). NO. 25191 OF 2021**

Catalyst Trusteeship Limited ... Applicant/Appellant

Versus

Kalpana Shripal Morakhia & Ors. ... Respondents

Dr. Birendra Saraf, Senior Advocate, Mr. Ranjeev Carvalho a/w Mr. Vikram Trivedi, Mr. Sachin Chandarana, Ms. Sanaya Dadachanji, Mr. Advait Raorane, Mr. Archit Shah i/b M/s. Manilal Kher Ambalal & Co. for the Applicant/Appellant.

Mr. Raffiq Barrister i/b Ghanshyam B. Sakpal for Respondent Nos.1 to 5.
Mr. Rohaan Cama i/b Ms. Sapana Rachure for Respondent No.6.

CORAM : R.I. CHAGLA, J.

DATED : 3rd FEBRUARY, 2022.

(V.C.)

ORDER :

1 Heard the learned Senior Advocate appearing for the Applicant/Appellant. He has submitted that an affidavit has been filed by Respondent No.6 attaching order dated 11.12.2021 passed by the Sole Arbitrator adjudicating the disputes between the Respondent *inter se* by

which the final order dated 15.12.2020 and interim order dated 19.12.2020 regarding the appointment of receiver was recalled and by virtue of which the receiver stands discharged. The said order was passed by consent of the parties who are the Respondents herein. This position has been accepted by the learned Counsel for the Respondents.

2 In view of the Receiver having been discharged by the said order dated 11.12.2021 passed by the Sole Arbitrator, the learned Senior Counsel appearing for the Applicant seeks leave to withdraw the Appeal with liberty to pursue such proceedings in exercise of its rights in accordance with law.

3 Considering the submission of the learned Senior Counsel for the Appellant and leave sought for withdrawal of the Appeal, leave is granted.

4 Appeal stands disposed of as withdrawn with liberty as prayed.

5 All the Interim Applications filed in the above Appeal, do not survive and stands disposed of.

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(R.I. CHAGLA, J.)