

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION PETITION NO. 202 OF 2017

Asif Husain Shaikh and Anr. ... Petitioners

vs.

Sayyed Nazish Iqbal and Anr. ... Respondents

Mr. A. A. Siddiquie i/b. M/s. A. A. Siddiquie & Associates for the Petitioner.

None for the Respondents.

CORAM : A. K. MENON, J.

DATED : 31st JANUARY, 2022

[THROUGH VIDEO CONFERENCE]

P.C. :

1. This is an application filed under Section 11 of the Arbitration and Conciliation Act for appointment of an Arbitrator pursuant to disputes that have arisen between partnership deed dated 9th June, 2012. It is said to contain an Arbitration clause. The respondent is not represented and in fact has not been represented right from 2017.

2. On 10th January, 2022 Mr. Siddiquie appearing on behalf of the petitioner stated that he has no instructions and sought some time. Accordingly the matter was listed on 17th January, 2022 on which date for the matter could not be taken up for want of time. The matter was taken up on 24th January, 2022 when Mr. Siddiquie once again sought time to take instructions. Accordingly the matter was listed today.

3. In these circumstances today when the matter is called Mr. Siddiquie states that he still does not have any instructions. Accordingly, it appears that the applicants are not interested in prosecuting this application. In view thereof I pass the following order :

- (i) Arbitration Petition is dismissed.
- (ii) No orders as to costs.

(A. K. MENON, J.)