

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO.347 OF 2022

IN

APPEAL UNDER ARBITRATION ACT NO.3 OF 2013

**BRK COMMODITY INDIA LIMITED REP.
BY DOMINGOS FERNANDES**

... APPLICANT

Versus

**WESTERN VISION BUSINESS INDUSTRIES
LIMITED, REP. THR. ITS DIRECTOR,
ANIL MEWADA**

... RESPONDENT

Mr Joaquim Godinho, Advocate for the Applicant.

CORAM:- M. S. KARNIK, J.

DATED :- 5th April, 2023

P.C.

By an order dated 26.11.2018 the Appeal under Arbitration Application No.03/2013 was dismissed for want of prosecution. Thereafter, Miscellaneous Civil Application No.248/2019 came to be preferred for handing over the bank guarantee furnished by the original appellant before this Court by virtue of an order dated 17.09.2013 and for further directions to the concerned bank to hand over the cheque of similar amount along with interest to the applicant.

2. Now, this application is filed for the reliefs in terms of prayer clause (a), (b) and (c). In view of the dismissal of the appeal, the present application deserves to be allowed and is, accordingly, allowed in terms of prayer clause (a), (b) and (c).

2. Application is disposed of.

M. S. KARNIK, J.

MARIA SUZANA
REBELLO

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