

SHRIKANT
SHRINIVAS
MALANI
Digitally signed
by SHRIKANT
SHRINIVAS
MALANI
Date:
2023.03.18
14:37:07 +0530

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

**INTERIM APPLICATION NO. 1360 OF 2021
IN
ARBITRATION PETITION NO. 77 OF 2017**

M/s. Porwal Sales
Through Its Proprietor
Vijay S. Porwal

...Petitioner

Versus

M/s. Flame Control Industries

...Respondent

* * *

- Mr. Nilesh M. Wable, for Applicant

* * *

CORAM : MANISH PITALE, J

DATE : 17th MARCH, 2023.

P. C. :

1. By this application, the Applicant i.e. the original Petitioner is seeking a direction to the office of this Court to return the original Arbitration Agreement/Letter dated 24th February, 2012. By an order dated 05th October, 2018, the original of the said agreement/letter was taken on record. Thereafter, by a detailed judgment and order dated 14th August, 2019, the Arbitration Petition No. 77 of 2017, was disposed of by appointing a former judge of this Court as the sole Arbitrator. The learned Counsel for the Applicant/Petitioner informs this Court that arbitration proceedings are now over and the Arbitral Award was also rendered.

2. It is submitted that in these circumstances, the office may be directed to return the original arbitration agreement/letter dated

24th February, 2012, to the Applicant/Petitioner.

3. In view of the facts brought to the notice of this Court, it would be in the interest of justice that the prayer made in the present application is granted.

4. Accordingly, the application is allowed and the office is directed to return to the Applicant the original arbitration agreement/letter dated 24th February, 2012, which was taken on record by this Court by the order dated 05th October, 2018. The office shall ensure that necessary steps are taken in the matter, within a period of two weeks from today.

(MANISH PITALE, J.)