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ARB.O.P.(Com.Div) No.199 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb.O.P.(Com.Div) No.199 of 2023

Bafna Mahaveer Chand

... Petitioner

Vs.

1.M. Pannalal Bafna (Died)
2.M. Sameermul Bafna (Died)
3.Mr.Paras Bafna
4.Mr.Kishore Bafna
5.Mrs.Raj Kumari
6.Mrs.Shoba
7.Mr.Rajkumar S Bafna
8.Mrs.Rekha
9.Mr.Pankaj S Bafna

... Respondents

Prayer : Arbitration Original Petition (Commercial Division) filed under Section 14(1)(b) r/w Section 15 of the Arbitration and Conciliation Act, 1996, to appoint a substitute Arbitrator for the purpose of adjudicating upon the disputes which has arisen between the petitioner and the respondents and award cost of this petition.

For petitioner : Mr.D. Sai Ram Kumar

For respondents : Mr.Kumarpal R. Chopra



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ORDER

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Learned counsel for the petitioner seeks permission of this Court to withdraw this petition since the Hon'ble Mr.Justice K.N. Basha (Retired Judge of this Court) has expressed his willingness to continue with the arbitration. Earlier due to his ill health, he had expressed his unwillingness to act as an Arbitrator.

2. Since the Arbitrator is now keeping good health and has expressed his willingness to continue with the arbitration, the request made by the learned counsel for the petitioner to withdraw this petition, is granted.

3. Accordingly, this Arbitration Original Petition is dismissed as withdrawn, by permitting the Arbitrator namely Hon'ble Mr.Justice K.N. Basha (Retired as former Judge of this Court) to continue with the arbitration at the stage where he had left earlier and pronounce an Arbitral Award, as expeditiously as possible.

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Index: Yes/ No

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ABDUL QUDDHOSE, J.

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