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A.No.1888 of 2022 etc

Application Nos.1888 and 1891 of 2022
in
Arb.O.P.(COM.DIV.).No.49 of 2022

ABDUL QUDDHOSE, J.

Arb.O.P(Com.Div.)No.49 of 2022 has been filed seeking for enforcement of the award dated 07.07.2017. Pending arbitration OP, two interlocutory applications have been filed, namely, Application Nos.1888 and 1891 of 2022.

2. Application No.1888 of 2022 has been filed seeking to implead the partners of the first respondent firm. Application No.1891 of 2022 has been filed seeking for amendment of the cause title.

3. The respondent has filed the counter affidavit in both the applications raising several objections.

4. This Court is of the considered view that, without prejudice to the rights and contentions of the respondent with regard to the objections raised in the counter affidavit filed by them in Application Nos.1888 and 1891 of 2022, these applications can be allowed by granting liberty to the respondent



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to raise the objections in the main O.P.No.49 of 2022.

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5. Learned counsel for the respondent has not raised any serious objections for allowing these applications, provided liberty is granted to the respondent to raise the objections with regard to impleadment and amendment of the cause title in the main arbitration OP, namely, Arb.O.P(Com.Div.)No.49 of 2022.

6. For the foregoing reasons, these applications are allowed as prayed for, without prejudice to the rights and contentions of the respondent to raise all objections in the main Arb.O.P(Com.Div.)No.49 of 2022. The Registry is directed to carry out the amendment accordingly and list the Arb.O.P(Com.Div.)No.49 of 2022 on 05.09.2022 and on that date, both the counsels are directed to file notes of submissions along with the authorities they rely upon and they are further directed to exchange the notes of submissions before the next date of hearing.

25.07.2023

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