

07.08.2024.
Court No. 13
Sl. No. 25
sp

F.M.A. No. 2180 of 2014
Fair Deal Engineering & Body Building Company Pvt. Ltd.
Versus
Union of India & Ors.

Mr. Rabindra Kumar Mitra,
Mr. Ashish Choudhury

..for the appellant

1. It is submitted that the appellant M/s. Fairdeal Engineering & Body Building Co. Pvt. Ltd. has merged with Techma Engineering Enterprise Pvt. Ltd.
2. A communication issued by the Director/QAC/Mod, Ministry of Railways dated 10th September, 2014 be kept with the record.
3. The Registry shall correct the cause title of the appellant. The name of the appellant shall be replaced by Techma Engineering Enterprise Pvt. Ltd.
4. It is submitted by the learned counsel for the appellant that the appeal has become infructuous since it was directed against an interlocutory order during the pendency of the arbitration. The order under Section 9 of the Arbitration and Conciliation Act, 1996 has merged with the award.

5. Hence, F.M.A. 2180 of 2014 has become infructuous and is dismissed as infructuous.
6. Interim orders, if any, shall stand vacated.
7. There shall be no order as to costs.
8. Let the L.C.R. be returned, if any, to the Court below.
9. The registry shall communicate a copy of this order to the Court below.
10. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)