

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**INTERIM APPLICATION NO.1429 OF 2024**  
**IN**  
**ARBITRATION APPEAL NO.9 OF 2024**

M/S. Anjali Hotels Pvt Ltd, Pune .. Applicant  
Versus  
Airport Authority of India, Pune .. Respondent  
...

Mr.G.S. Godbole, Sr. Advocate a/w Shon Gadgil, Murtaza Chherawala, Mihika Awate i/b M/s CNS Juris for the applicant/appellant.

Mr. H.V. Kode, for respondent.

Mr. Himanshu V Kode for respondent.

**CORAM: BHARATI DANGRE, J.**

**DATED : 18<sup>th</sup> APRIL, 2024**

**P.C:-**

1           The Arbitration Appeal is filed, being aggrieved by the order dated 6/01/2024 passed by the District Judge-2, Pune in the pending Section 9 petition.

By the said order, the petitioner made a request for extension of status quo order dated 31/10/2023, which was declined by recording that, there is a possibility that the real controversy between the parties would be settled through arbitration proceedings.

2           By order dated 27/03/2024, passed in Arbitration

Petition No. 44 of 2024, Mr. Shanay Shah is appointed as a sole Arbitrator to adjudicate the disputes that have arisen between the parties.

3           In the wake of this subsequent development of constitution of the arbitral tribunal, the learned senior counsel Mr. Godbole, may consider the possibility of withdrawing the section 9 proceedings, with liberty to approach the arbitral tribunal by filing an application under Section 17, requesting for interim measures pending the arbitral proceedings.

          However, on instructions he seek withdrawal of the present appeal, in the wake of the subsequent development of the constitution of the arbitral tribunal.

          Permission granted. Arbitration Appeal along with the Interim Application stands disposed off.

4           I must clarify that in case if an application is preferred before the learned Arbitrator, he shall decide the same, without being influenced by the observations made in the impugned order.

**( SMT. BHARATI DANGRE, J.)**