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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION APPEAL NO. 75 OF 2024

M/s Space Age Associates Power Infra
Pvt Ltd thr. Director Shri Vinayak
Murlidhar Patil ...Appellant

Versus

M/s Skipper Engineers thr. its Partner
Shri Shailesh D Patil & Ors ...Respondents

Mr Pramod N Patil, i/b, Tukaram Shendge, for the Appellant.

Mr Virendra Tulzapurkar, Senior Advocate, *with Manish Modak, for the Respondent No. 2.*

Mr Rahul Motkari, *for the Respondent No. 1.*

Mr Abhijit Desai, *with Karan Gajra & Digvijay Kachare, for Respondent No. 3.*

CORAM **M.S. Sonak &
Jitendra Jain, JJ.**
DATED: **28 November 2024**

PC:-

1. Learned Counsel for the Appellant seeks leave to withdraw this appeal. The learned Counsel places on record the written instructions/resolution.
2. Accordingly, this appeal is disposed of as withdrawn. Interim Applications, if any, will not survive and are disposed of. Interim relief, in any, stands vacated forthwith.

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3. The Appellant is at liberty to apply for refund of Court fees. If such application is made, the registry to dispose it of in accordance with the rules.

4. The amount deposited by the Appellant in this Court should now be transferred to the executing Court, i.e., concerned the District Court at Pune. Learned Counsel for the Respondent Nos. 2 and 3 state that execution applications are already been filed. They also submit that this deposit is not in accordance with the impugned award but they say that they will raise all these issues before the executing Court. All such issues are not being gone into by us and therefore, all contentions of all parties in this regard are kept open to be decided by the executing Court as and when raised in accordance with law and on their own merits. Learned Counsel for the 1st Respondent states that even the 1st Respondent would be filed an execution application.

(Jitendra Jain, J)

(M.S. Sonak, J)