

Esha

IN THE HIGH COURT OF BOMBAY AT GOA
APPEAL UNDER ARBITRATION ACT NO.1 OF 2025

SAHIL CHOUDHRY
Versus
ANUPRIYA BISHNOI

... APPELLANT
... RESPONDENT

Mr. Rui Gomes Pereira, Advocate for the Appellant.

Mr. Anoop Gaoker, Advocate for the Respondent.

CORAM:- SARANG V. KOTWAL, J.

DATED :- 5th December, 2025

P.C:

Learned Counsel for the Appellant invited my attention to the order dated 26.03.2024 passed in an Application for Appointment of Arbitrator No. 1 of 2024.

The operative part of the said order reads thus:-

“In these circumstances, since the parties are residing at Delhi and the business at Vagator, has been shut down since March 2023, it would be in the interest of the parties and since jurisdiction would also arise at Delhi, to move the learned designated Court at Delhi for appointment of an Arbitrator. Accordingly, the Application is disposed of.”

2. This order was challenged by the Appellant herein before the Hon'ble Supreme Court in a Petition for Special Leave to Appeal (C) No. 12400/2024, which was disposed of by the Hon'ble Supreme Court vide order dated 27.10.2025 by passing the following order:-

- “1. Heard the learned counsel appearing for the petitioner.*
- 2. While we are not inclined to interfere with the impugned judgment and order passed by the High Court, the petitioner will be entitled to file application under Section 11 of the Arbitration and Conciliation Act, 1996 before the Delhi High Court. If such an application is filed, it may be taken up and disposed of expeditiously.*
- 3. With these observations, the Special Leave Petition and the accompanying interlocutory application (s), if any, stands disposed of.”*

3. In the present Appeal, the Appellant is challenging the order dated 02.07.2024 passed by the Senior Civil Judge, Mapusa in Civil Miscellaneous Application No. 128/2023/C/A under Section 9 of the Arbitration and Conciliation Act.

In view of the order passed by the learned Single Judge of this Court in proceedings under Section 11 of the Arbitration and Conciliation Act, which was confirmed by the Hon'ble Supreme Court; the learned Counsel for the Appellant seeks permission to withdraw this Appeal with liberty to adopt appropriate proceedings before the appropriate Court at Delhi.

Learned Counsel for the Respondent has no objection to this course of action. Therefore, the present Appeal is allowed to be withdrawn with liberty as prayed for.

SARANG V. KOTWAL, J.