



sending the controversy that has arisen between the parties to be arbitrated upon by Justice R.V. Raveendaran, a formerly Judge of this Court. At that juncture, this Court has further stated:

"During the pendency of the arbitration proceeding, there shall be stay of further proceedings in Case No.19/S of 2003, pending before the Metropolitan Magistrate, 40th Court, Girgaum.

Needless to say, the earlier arbitration proceeding which was conducted by the previous Arbitrator, stands terminated by this order.

After the learned Arbitrator passes an award, counsel for the parties shall file the same before this Court and thereafter it will be taken up for further hearing. However, it is hereby abundantly made clear that the position is accepted by the learned counsel for the parties that after the award is passed, the criminal proceeding before the learned Magistrate shall be quashed and parties shall take the route of appeal to award as provided under Arbitration and Conciliation Act, 1996."

Thereafter, the matter was listed on certain occasions. Be that as it may, we have been apprised by the learned counsel for the parties that the learned Arbitrator has passed the award on 13th June, 2015.

SLP(Crl.) 778/12

3

In view of the aforesaid, the proceeding in Complaint Case No.19/S/2003, pending before the Metropolitan Magistrate, 40th Court, Girgaum, Mumbai, is quashed. However, we may reiterate that the parties are at liberty to take the route of appeal the award passed as provided under the Arbitration and Conciliation Act, 1996.

The special leave petitions are, accordingly, disposed of.

(Chetan Kumar)  
Court Master

(H.S. Parasher)  
Court Master