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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.990 OF 2012
WITH
ARBITRATION PETITION NO.991 OF 2012

M/s.Ambarwadikar & Co.	...Petitioner
V/s.	
Ashok Leyland Finance Ltd. & Anr.	...Respondents

Mr.Sachin Punde for the Petitioner.
Mr.Amol Desai for Respondent No.1.

CORAM : R.D. DHANUKA, J.
DATE : 27TH FEBRUARY, 2015.

P.C. :-

1. By consent of the parties, the following order is passed :-
 - i). The impugned awards both dated 22nd November, 2006 are set aside.
 - ii). The parties have agreed that respondent No.1 would be entitled to invoke the arbitration agreement and appoint an arbitrator in accordance with the arbitration agreement.
 - iii). Respondent No.1 has agreed to appoint an arbitrator within four weeks from today and communicate the name and address of the learned arbitrator to the petitioner.
 - iv). The petitioner has agreed to file the written statement

along with requisite documents which the petitioner seeks to rely upon before the learned arbitrator within four weeks from the date of communication of the name of the learned arbitrator by respondent No.1.

v). Both the parties have agreed to lead documentary as well as oral evidence, if they require.

vi). It is agreed that the learned arbitrator shall decide the matter afresh and in accordance with law and without being influenced by the findings and observations made by the learned arbitrator in the impugned awards both dated 22nd November, 2006.

vii). Both parties have agreed to co-operate with each other and with the learned arbitrator.

viii). The venue of the arbitration proceedings shall be in accordance with the arbitration agreement.

ix). The learned arbitrator shall make an endeavour to dispose of the arbitral proceedings within four months from the date of the first meeting.

2. Both the arbitration petitions are disposed of in the aforesaid terms.

There shall be no order as to costs.

(R.D. DHANUKA, J.)