

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 367 OF 2013

B.P.Comtrade Pvt. Ltd.

..... Petitioner

VERSUS

Gautam Mukherjee

..... Respondent

Mr.Tushar Bhavsar, a/w.Mr.Jayant Gaikwad, i/b. Mr.Ajay Khandar & Co. for the Petitioner.

Mr.Hemant Prabhulkar, i/b. Juris Consultus for the Respondent.

CORAM : R.D. DHANUKA, J.

DATED : 1st APRIL, 2015

P.C.

By consent of parties, following order is passed :-

- (a) The impugned award dated 25th September, 2012 passed by the arbitral tribunal is set aside. Parties have no objection if the disputes raised in the arbitration proceedings is adjudicated upon by the arbitral tribunal to be appointed by the Multi Commodity Exchange of India Limited as per bye-laws and business rules of the said Exchange.
- (b) Both parties have agreed to rely upon the pleadings and documents already forming part of the record of the arbitration proceedings.
- (c) Both parties have agreed that they would file additional pleadings and evidence if necessary.

(d) The arbitral tribunal shall decide the matter afresh and without being influenced by the findings and observations made by the arbitral tribunal in the impugned award dated 25th September, 2012.

2. Petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]