

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***ORDINARY ORIGINAL CIVIL JURISDICTION*****ARBITRATION PETITION NO. 469 OF 2014****ALONGWITH****ARBITRATION PETITION NO. 497 OF 2014****ALONGWITH****ARBITRATION PETITION NO. 812 OF 2014****Anil Tilakraj Mehra****..... Petitioner****VERSUS****Sriram Transport Finance Company Limited Respondent**

Mr.Yusuf Iqbal Yusuf, a/w.Mr.Neville Majra, Ms.Shashista Pathan, i/b. Yusuf & Associates for the Petitioner.

Mr.Rajesh Kanojia, i/b. Res Juris for the Respondent.

CORAM : R.D. DHANUKA, J.**DATED : 9th FEBRUARY, 2015****P.C.**

By consent of parties, following order is passed :-

1 (a) Impugned award dated 8th November, 2013 in Arbitration Petition No.469 of 2014 is set aside. Impugned award dated 8th November, 2013 in Arbitration Petition No.497 of 2014 is set aside. Impugned award dated 8th November, 2013 in Arbitration Petition No.812 of 2014 is set aside.

(b) Parties are agreed that the dispute arising in S.C.Suit No.1741 of 2009 pending in this court is also referred to the arbitration of Mrs.Sunanda R. Kumbhat, advocate, C/o. Room No.56, High Court Library, High Court, Bombay.

(c) The petitioners agree to file written statement before the learned arbitrator within four weeks from today alongwith all the documents which he proposes to rely upon.

(d) In so far as disputes arising out of S.C.Suit No.1741 of 2009 are concerned, the petitioner would be permitted to file a separate statement of claim alongwith documents before the learned arbitrator.

(e) The respondents shall file written statement in those proceedings before the learned arbitrator within four weeks alongwith documents from the date of service of statement of claims alongwith documents.

(f) Both parties would be at liberty to file further pleadings and evidence as they desire after obtaining leave of the learned arbitrator.

(g) Learned arbitrator shall decide the entire matter afresh in accordance with law without being influenced by the findings and observations rendered by the learned arbitrator in the impugned awards.

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

(i) Parties have agreed that the proceeding of the arbitration shall be conducted at Mumbai.

2. Learned arbitrator is requested to dispose of the arbitration proceedings within six months from the date of the first meeting.

3. Parties are directed to apply for appropriate orders in the pending Suit No.1741 of 2009 for referring the parties to arbitration of Mrs.Sunanda R.Kumbhat, Advocate as agreed aforesaid at the earliest.
4. The aforesaid arbitration petitions are disposed of. No order as to costs.

[R.D. DHANUKA, J.]