

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

ARBITRATION PETITION (L) NO.278 OF 2015

Mrs. Gulshan Rohinton Irani

.....Petitioner

Versus

Rustom Gustad Irani and Ors.

.....Respondents

Mr. Virag Tulzapurkar, Senior Advocate with Mr. Sandeep Parikh i/by Mr. P.J.Ramchandani, for Petitioner.

MR. S. Bharucha with Mr. Maneck Mulla, Ms. Lara Jesani, Mr. Priyank Kapadia i/by M/s. M. Mulla and Associates, for Respondent Nos.1, 3 and 4.

CORAM: S.J. KATHAWALLA, J.

DATED: 18th FEBRUARY, 2015

PC.

1. The learned Advocate for Respondent Nos.1,3 and 4 on instructions, states that the Respondent Nos.1, 3 and 4 are ready with a cheques in favour of the Petitioner for Rs.20,46,000/- and Rs.1,86,000/- towards her share in profits for the period from April 2014 to March 2015. He further undertakes to pay an amount of Rs.1,86,000/- to the Petitioner from every month hereafter. The undertaking is accepted. It is clarified that the said cheques are accepted on behalf of the Petitioner without prejudice to her contention that she is entitled to receive from the Respondents a much higher amount than Rs. 1,86,000/- per month.

2. The learned Advocate for the Respondents also states on instructions, that the Respondent Nos.1, 3 and 4 shall offer inspection of documents to the

son of the Petitioner as well as her Chartered Accountant, as requested by the Petitioner through her Advocate's Letter dated 11-12-2014 and shall also give photostat copies of the documents upon payment of necessary charges. The statement is accepted.

3. The learned Advocate for the Respondent Nos. 1, 3 and 4 further states that they shall within a period of two weeks from today disclose on Affidavit the assets as well as the bank accounts of the partnership firm. The statement is accepted.

4. By consent of the parties, all disputes between the parties which are subject matter of the above Arbitration Petition are referred to the sole arbitration of Mr. Phiroz Palkhiwala, Advocate.

5. The learned Arbitrator shall endeavour to pass his Award within a period of six months from the date of this order.

6. The parties and their Advocates shall meet the learned Arbitrator in his Chambers on 20th February, 2015 at 5.30 p.m., and obtain necessary directions in the matter.

7. The parties shall be at liberty to move the learned Arbitrator for interim reliefs under Section 17 of the Arbitration and Conciliation Act, 1996 and the learned Arbitrator shall decide such Application if filed within a period of 8 weeks from the date of this order.

8. The cost of the arbitration shall be borne by the parties equally.
9. The venue of arbitration shall be at Mumbai.
10. All contentions of the parties are kept open.
11. The above Arbitration Petition is accordingly disposed of.

(S.J.KATHAWALLA, J.)