

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO. 354 OF 2015

Alka Prakash Agarwal ... Petitioner

Versus

M/s. Kieon Developers Private Limited ... Respondent

Ms. K. Irani i/b. F.F. & Associates for the Petitioner.

Mr.PM. Shah a/w. M.K. Tanna, Ms. R.K. Vira for the Respondent

CORAM : S.J. KATHAWALLA, J.
DATED : 3RD MARCH, 2015

P.C.

1. Heard the learned Advocates appearing for the parties and the following order is passed by consent :

- i. The disputes and differences between the parties arising out of the Memorandum of Understanding dated 22nd July, 2011 are referred to the sole Arbitration of Ms. Ankita Singhania, Advocate.
- ii. The parties and their Advocates shall appear before the learned Arbitrator in her chambers, on 9th March, 2015 at 5.00 p.m. and obtain necessary directions.
- iii. The learned Arbitrator shall endeavour to pass her Award within a period of six months from the date of the first meeting held by him with the parties and their Advocates.
- iv. In the event of the Respondent deciding to sell his 40% share in the

property situated at Khar (West), Mumbai, more particularly described in Exhibit-J to the Petition, the Respondent shall prior to confirming the said sale issue 15 days clear notice to the Petitioner and also the Advocate for the Petitioner informing them that he has decided to confirm the sale qua his 40% share in the said property.

- v. The parties shall be at liberty to move before this Court or the learned Arbitrator for appropriate ad-interim / interim reliefs.
- vi. The cost of arbitration shall initially be borne by the parties equally.
- vii. All contentions of the parties are kept open.
- viii. The venue of Arbitration shall be at Mumbai.
- ix. Suit No. 917 of 2014 and Suit No. 855 of 2014 are transferred to this Court. The Registrar, City Civil Court, Dindoshi, Mumbai is directed to send the record and proceedings of said Suits to this Court. Suit No. 917 of 2014 and Suit No. 855 of 2014 stand disposed of as withdrawn.

The above Arbitration Petition is accordingly disposed of.

(S.J. KATHAWALLA, J.)