

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 1203 OF 2014

Vijay P. Katkoria

..... Petitioner

VERSUS

Tirtha Securities Pvt. Ltd.

..... Respondent

Ms.Priyanka Vegad for the Petitioner.

Mr.Nilesh Das for the Respondent.

CORAM : R.D. DHANUKA, J.

DATED : 5th MAY, 2015

P.C.

By consent of parties, following order is passed :-

(1) Impugned award dated 20th December, 2012 passed by the learned arbitrator is set aside. Parties have no objection if the learned arbitrator makes a fresh award after giving an opportunity to both the parties for leading oral as well as documentary evidence. Whatever documents and pleadings are already forming part of the record can be relied upon by both parties.

(2) Learned arbitrator shall make a fresh award without being influenced by the the findings, observations and conclusions rendered by the learned arbitrator in the impugned award dated 20th December, 2012.

(3) Petitioner undertakes to cross examine the witness

examined by the respondents and undertakes not to take any unnecessary adjournments before the learned arbitrator. The petitioner also would be at liberty to file oral evidence before the learned arbitrator.

(4) Both the parties have agreed that all the fees and expenses of the learned arbitrator shall be borne equally by both parties at the first instance.

(5) The learned arbitrator shall make an endeavour to dispose off the arbitral proceedings expeditiously and not later than six months from the date of the first meeting. Petition is disposed of in the aforesaid terms.

(6) No order as to costs.

[R.D. DHANUKA, J.]