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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION (L) NO.505 OF 2015

M/s. S. Satyanarayana And Co.

... Petitioner

Vs.

M/s. West Quay Multiport Pvt. Ltd. And Anr.

... Respondents

....

Mr. Rashmin Khandekar, i/b. Augustus Law Chambers, for the
Petitioner.

Mr. Dharam Juman, a/w. Mr. Suraj Iyer, i/b. Ganesh And Co., for the
Respondents.

....

CORAM : S.C. GUPTE, J.

DATED : 29 APRIL 2015

P.C. :

. Though both parties agree that there should be an arbitrator appointed but since there is no agreement between the parties on the name of the Arbitrator and the parties leave it to this Court to appoint an Arbitrator, I proceed to do so by appointing Mr. Justice Radhakrishnan (Retd.) as a sole Arbitrator to adjudicate upon the disputes and differences between the parties. Respondent No.1 has offered to secure the claim of the Petitioner by furnishing a bank guarantee in favour of the Prothonotary and Senior Master of this Court for an amount of Rs.1,38,00,000/-, which would be subject to the final outcome of the proposed arbitration proceedings between the parties. In view thereof, the Petitioner does not press for interim reliefs in the present Petition. The Petition is disposed of accordingly.

2. Respondent No.1 shall furnish the bank guarantee referred to above through a nationalized bank within 3 weeks from today.

3. It is clarified that all contentions of the parties are expressly kept open.

(S.C. GUPTE, J.)