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

ARBITRATION APPLICATION NO.110 OF 2015

M/s.Prakash Constructions & Ors.	...Applicants
V/s.	
M/s.Pharmabase India Pvt. Ltd.	...Respondent

WITH
NOTICE OF MOTION NO.800 OF 2015
IN
ARBITRATION APPLICATION NO.110 OF 2015

M/s.Pharmabase India Pvt. Ltd.	...Applicant
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IN THE MATTER BETWEEN :

M/s.Prakash Constructions & Ors.	...Applicants
V/s.	
M/s.Pharmabase India Pvt. Ltd.	...Respondent

Mr.Gaurang Mehta for the Applicant in Notice of Motion / Original Respondent.

Mr.Rohan Cama with Mr.Mr.Ajay Panicker i/b Ajay Law Associates for the Respondent / Original Petitioner.

CORAM : R.D. DHANUKA, J.
DATE : 29TH JULY, 2015.

P.C. :-

1. By consent of the parties, the following order is passed :-
 - a). Shri N.N. Shrikhande, Consulting Engineer residing at 42, Kalpak Artek Apartments, Madhusudan Kalekar Marg, Bandra (East),

Mumbai – 400 051 is appointed as the sole arbitrator in place of Mr.Snehal Shah, erstwhile arbitrator appointed by this Court. In view of the amount of claim involved and the financial condition of the parties expressed by learned counsel for both parties, the learned arbitrator is requested to charge fees up to the maximum amount of Rs.30,000/- per day or part thereof. Learned counsel for the parties have suggested the fees of the learned arbitrator maximum to the extent of Rs.30,000/- per day or part thereof. The statement is accepted.

b). The learned arbitrator is requested to proceed with the matter from the stage as it stands, as it was before the erstwhile arbitrator. Both the parties have agreed to collect the pleadings and documents from the erstwhile arbitrator and to forward the same to the learned arbitrator appointed by this order.

c). The learned arbitrator is requested to dispose of the arbitral proceedings expeditiously. The learned arbitrator shall make an endeavour to dispose of the arbitral proceedings within six months from the date of the first meeting. Both parties have agreed to co-operate with each other and with the learned arbitrtor in expeditious disposal of the arbitral proceedings.

d). It is made clear that both parties shall bear the fees and expenses of the learned arbitrator equally at the first instance and the

same shall be subject to the final directions as may be issued by the learned arbitrator.

e). If the learned arbitrator proposes to charge any reading fees, the learned arbitrator is requested to charge the same also reasonably.

2. The arbitration application as well as notice of motion are also accordingly disposed of in the aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)