

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***ORDINARY ORIGINAL CIVIL JURISDICTION*****ARBITRATION PETITION NO. 1559 OF 2014****M/s.Three Circles****..... Petitioner****VERSUS****The Union of India****..... Respondent****ALONGWITH****ARBITRATION PETITION (L) NO. 1117 OF 2014****Union of India****..... Petitioner****VERSUS****M/s.Three Circles****..... Respondent**

Ms.Suchitra Kamble for the Petitioner in Arbitration Petition No.1559 of 2014 and for the Respondent in Arbitration Petition (L) No.1117 of 2014.

Mr.Suresh Kumar for the Petitioner in Arbitration Petition (L) No.1117 of 2014 and for the Applicant in Notice of Motion No.1350 of 2014 and for the Respondent in Arbitration Petition No.1559 of 2014.

CORAM : R.D. DHANUKA, J.**DATED : 9th FEBRUARY, 2015****P.C.**

By consent of parties, following order is passed :-

- (a) The impugned arbitral award dated 24th January, 2014 passed by the arbitral tribunal in C.A.No.DRM/133 dated 20th July, 1999 in both the arbitration petitions is set aside. Parties have no objection if the matter is heard by the same arbitral tribunal. It is agreed that in the event, any member of the arbitral tribunal is not available, the said vacancy shall be supplied in accordance with the arbitration agreement.

(b) All contentions raised by the parties in both these petitions are kept open. The arbitral tribunal shall decide in accordance with law and without being influenced by the observations, findings and conclusions made by the arbitral tribunal in award dated 24th January, 2014.

(c) Both parties have agreed to co-operate with each other and with the learned arbitrator.

(d) Both parties have agreed to file additional pleadings and evidence before the arbitral tribunal if need so arises. If any such pleadings and evidence are filed, the arbitral tribunal shall consider the same in accordance with law.

(e) Arbitral tribunal is requested to dispose off the arbitral proceedings within six months from the date of the first meeting.

2. Both the petitions are disposed of in the aforesaid terms. There shall be no order as to costs.

[R.D. DHANUKA, J.]