

arbitrator appointed by this Court.

3. As far as Respondent No.5 is concerned, the learned Advocate for the Petitioner is not pressing for reliefs under Section 11 of the Act and seeks liberty to take out appropriate proceedings against Respondent No.5. As far as Respondent Nos.7 and 8 are concerned, they have filed an Affidavit recording their consent to refer the disputes to Arbitration.

4. In view thereof, the following order is passed:

(i) The disputes between the parties (excluding Respondent No. 5) arising out of the Agreement dated 18-10-2010 are referred to the sole arbitration of Mr. Ankit Lohia, Advocate.

(ii) The learned Arbitrator shall endeavour to pass his Award within a period of six months from the date of this order.

(iii) The parties and their Advocates shall meet the learned Arbitrator in his Chambers on 27th February, 2015 at 5.30 p.m., and obtain necessary directions in the matter.

(iv) The cost of Arbitration shall initially be shared as follows:

(i) The Applicants – 1/3 of the costs.

(ii) Respondent Nos. 2 and 6 – 1/3 of the costs.

(iii) Respondent Nos. 3 and 4 – 1/3 of the costs.

(v) The venue of arbitration shall be at Mumbai.

(vi) All contentions of the parties are kept open.

(vii) The parties shall be at liberty to move the learned Arbitrator for ad-interim/interim relief/s if any, under Section 17 of the Act.

(viii) The Applicants shall be at liberty to take out appropriate proceedings against the Respondent No.5.

(ix) The above Arbitration Application is accordingly disposed of.

(S.J.KATHAWALLA, J.)