

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

ARBITRATION APPLICATION NO.224 OF 2013

Sumer Builders Pvt. Ltd.	...	Applicant
versus		
Narendra Gorani	...	Respondent

Mr. Yogesh Gaikwad i/by M/s. Yasmin Bhansali and Co., for Applicant.
Mr. Rushabh Thakkar i/by Mr. Yashpal Jain, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 10th MARCH, 2015

PC.:

1. Admittedly, disputes have arisen between the Applicant and the Respondent under the Development Agreement dated 28th February, 2008.

2. The above Arbitration Application is filed by the Applicant under Section 11 of the Arbitration and Conciliation Act, 1996 (the Act), for appointment of an Arbitrator.

2. However, this Court is informed that an Application under Section 11 of the Act, was filed by the Respondent before the High Court of Madhya Pradesh. The said Application was allowed. The said order passed by the High Court of Madhya Pradesh appointing an Arbitrator was impugned by the Applicant herein before the Hon'ble Supreme Court by way of Special Leave Petition (SLP), which was dismissed. The Arbitration proceedings have

thereafter commenced. In view thereof, the above Arbitration Application filed under Section 11 of the Act, by the Applicant is dismissed as infructuous.

(S.J.KATHAWALLA, J.)