

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
***ORDINARY ORIGINAL CIVIL JURISDICTION***  
**ARBITRATION APPLICATION NO. 344 OF 2014**

**Shyam Sunder Maheshwari & Ors. .... Applicant**

**VERSUS**

**Praful A.Shah .... Respondent**

Mr.Saikumar Pathrudu for the applicant.

Ms.Farzana Behramkamdin a/w. Ms.Bharti Bhansali i/b.FZB & Associates for the Respondent.

**CORAM : R.D. DHANUKA, J.**

**DATED : 23<sup>rd</sup> SEPTEMBER, 2015**

**P.C.**

Learned counsel appearing for the applicant seeks liberty to delete the name of the applicant no.2 i.e. Jayshree Industries Ltd. from the cause title of the arbitration application. Leave to amend is granted. Amendment to be carried out within one week from today. Re-verification is dispensed with.

2. There is no dispute that the arbitration agreement exist between the parties. It is however the case of the respondent that there are no arbitrable disputes and the respondent seeks to raise that issue before the learned arbitrator. The issue as to whether claims that would be made by the applicant before the learned arbitrator would be arbitrable or not are kept open.

3. By consent of parties, Dr.Birendra Saraf, advocate is appointed as a sole arbitrator. All contentions on merits of the claims are kept open. Arbitration application is disposed of in the aforesaid terms. No order as to costs.

**[R.D. DHANUKA, J.]**

**CERTIFICATE**

Certified to be true and correct copy of the original signed order.