IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO. 1005 OF 2012

M/s.Transparent Energy Systems Pvt. Ltd. ….. Petitioners

VERSUS

Uttam Value Steels Limited ….. Respondents

Mr.Devrat Singh, a/w. Mr.Dilip Kamat, i/b. Mr.Ajit Kocharekar for the Petitioners.

Mr.Rajneesh Agarwal, a/w. Mr.Girish Thanvi, i/b. Mr.Meghnath Navlani for the Respondents.

CORAM : R.D. DHANUKA, J.

DATED : 17th MARCH, 2015

P.C.

By consent of parties, the impugned award dated 8th May, 2012 rendered by the arbitral tribunal to the extent it rejects the claim no.2 made by the petitioner is set aside. Rest of the award is upheld.

2. By consent of parties, the dispute in respect of claim no.2 with interest and cost of arbitration is referred to the arbitration of Shri Justice Pramod D.Kode, former Judge of this Court, having his address at Flat No.702, 7th Floor, Building No.56/B, Chintamani Judges Co-operative Housing Society Limited, Behind Anik Bus Depot, Pratiksha Nagar, Sion Koliwada, Mumbai – 400 022.

3. Both parties have agreed to pay the fees and expenses of the learned arbitrator at the first instance equally which shall be subject to the outcome of the arbitration proceedings.

4. Both parties have agreed that the pleadings and evidence already forming part of the record in the earlier arbitration proceedings can be relied upon by the parties. Parties have agreed not to file any further pleadings and evidence.

5. Learned arbitrator is requested to dispose of the arbitration proceedings expeditiously. There shall be no order as to costs.

[R.D. DHANUKA, J.]