

vai

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

ARBITRATION PETITION NO.1252 OF 2015

M/s.Pallavi Construction (JV) L.B. & Anr.	...Petitioners
V/s.	
Maharashtra State Road Development Corporation Limited & Others	...Respondents

Mr.V.R. Dhond, Senior Counsel i/b Mr.R.N. Shetty for the Petitioner.

Mr.P.P. Chavan i/b Ms.Resmarani Nathani for Respondent Nos.1 and 2.

Mr.S.N. Fadia for the Respondent No.3.

CORAM : R.D. DHANUKA, J.
DATE : 28TH OCTOBER, 2015.

P.C. :-

1. By consent of parties, Shri Justice V.C. Daga, a former Judge of this Court is appointed as a sole arbitrator. Mr.Dhond, learned senior counsel appearing for the petitioner states that this petition filed under section 9 of the Arbitration & Conciliation Act, 1996 (for short "the Arbitration Act") be converted into an application under section 17 of the Arbitration Act and seeks to pursue the same before the learned arbitrator. Learned counsel for the respondents have no objection if this request is granted.

2. By consent of parties, this petition is to be treated as an

application under section 17 of the Arbitration Act and can be pursued before the learned arbitrator. The petitioner would be at liberty to file additional pleadings before the learned arbitrator in the said application under section 17 of the Arbitration Act. The respondents are granted time to file affidavit in reply of two weeks from the date of service of the additional pleadings by the petitioner.

3. The learned arbitrator is requested to dispose of the arbitral proceedings under section 17 of the Arbitration Act expeditiously. It is made clear that all the contentions raised by the parties are kept open. This Court has not expressed any views on the merits of the matter.

4. The arbitration petition is disposed of in aforesaid terms.
No order as to costs.

(R.D. DHANUKA, J.)