

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 1016 OF 2012

The Memon C-operative Bank Limited

..... Petitioner

VERSUS

**Lakeside Neighbourhood Education &
Recreation Society Private Limited & Anr.**

..... Respondents

Mr.Satish Shah, a/w. Mr.S.N.Satpute, Mr.Subhash Satpute for the Petitioner.
Mr.S.R.Nargolkar, i/b. Ms.Meenakshi Sakhare for the Respondents.

CORAM : R.D. DHANUKA, J.

DATED : 19th OCTOBER, 2015

P.C.

By consent of parties, following order is passed :-

- (a) Impugned award dated 18th May, 2012 is set aside.
- (b) Shri Justice Mohit S.Shah, former Chief Justice of this Court is appointed as a sole arbitrator to make a fresh award in accordance with law.
- (c) The petitioner would be at liberty to seek appropriate directions from the learned arbitrator about filing of fresh pleadings. If any such application is made, the same can be considered by the learned arbitrator on its own merits.
- (d) The learned arbitrator shall decide the matter afresh and without being influenced by the findings and observations rendered by the learned arbitrator in the impugned award dated 18th May, 2012.
- (e) It is made clear that this court has not expressed any

opinion about the validity of the award rendered by the learned arbitrator.

(f) Both the parties are at liberty to apply for interim measures before the learned arbitrator.

2. Arbitration petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]