

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO.915 OF 2011

Jayantilal Khandwala & Sons Pvt. Ltd. Petitioner

VERSUS

Daleep Mukarji & Anr. Respondents

Mr.Simil Purohit, i/b. Purohit & Co. for the Petitioner.

None for the Respondents.

CORAM : R.D. DHANUKA, J.

DATED : 24th MARCH, 2015

P.C.

By this petition filed under section 34 of the Arbitration and Conciliation Act, 1996, the petitioner has impugned the arbitral award dated 16th May, 2011 and supplementary award dated 15th May, 2011 passed by the arbitral tribunal allowing the claims made by the respondent no.1.

2. Mr.Purohit, learned counsel appearing for petitioner states that the facts of this case are identical to the facts in Arbitration Petition No.914 of 2011 and the order passed therein would squarely apply to the facts of this case.

3. Pursuant to the order passed by this court, office had issued a notice upon all the respondents. A perusal of the report submitted by the office of the Prothonotary and Senior Master clearly indicates that all the respondents are served. None appeared for the respondents though served.

4. For the reasons recorded in the Arbitration Petition No.914 of 2011,

following order is passed :-

- (a) Arbitration petition is made absolute in terms of prayer (a).
- (b) Impugned award dated 16th May, 2011 and supplementary award dated 15th July, 2011 are set aside. It is made clear that whether respondent no.1 will have any other remedy to recover the amount or not is kept open.
- (c) No order as to costs.

[R.D. DHANUKA, J.]