

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 1544 OF 2014
AND
ARBITRATION PETITION NO. 158 OF 2015

Mithalal Bholaram Gurjar & Anr. Petitioners

VERSUS

M/s.Shriram Transport Finance Co. Ltd. & Anr. Respondents

Mr.H.Toor, a/w. Ms.Swati Sawant, i/b. S.K.Legal Associates for the Petitioners.

Ms.Deepika Motagi, i/b. Mr.Rajesh Kanojia for the Respondents.

CORAM : R.D. DHANUKA, J.

DATED : 6th JULY, 2015

P.C.

Learned counsel appearing for the respondents on instruction states that the respondents have no objection if the impugned awards rendered by the learned arbitrator are set aside and the proceedings are set aside and the proceedings are heard afresh. Statement is accepted.

2. By consent of parties, following order is passed :-

- (a) Impugned awards dated 23rd August, 2014 in Arbitration Petition No.158 of 2015 and in Arbitration Petition No.1544 of 2014 are set aside.
- (b) Parties have no objection if both the arbitral proceedings are heard afresh by the learned arbitrator and a fresh award is made in accordance with law.
- (c) The respondents are directed to serve copy of the pleadings and documents which the respondents have relied

upon before the learned arbitrator upon the learned advocate representing the petitioners in both these proceedings within two weeks from today.

(d) Written statement alongwith documents to be filed by the petitioners in both the matters within two weeks from the date of service of pleadings and documents by the respondents.

(e) Both the parties are directed to co-operate with each other and with the learned arbitrator.

(f) The learned arbitrator shall decide the matter afresh and in accordance with law and after complying with the principles of natural justice.

(g) It is made clear that the learned arbitrator shall not be influenced by the findings and the conclusions rendered in both the arbitral awards and shall decide the matter without being influenced by such findings and conclusions.

(h) The learned arbitrator shall make the endeavour to decide the matters within four months from the date of the first meeting.

3. Petitions are disposed in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]