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

ARBITRATION PETITION NO.365 OF 2013

Religare Commodities Ltd.	...Petitioner
V/s.	
Govindswamy Umapathi	...Respondent

Mr.Tushar Bhavsar with Mr.Jayant Gaikwad i/b Ajay Khandhar & Co.
for the Petitioner.

Ms.Nidhi Singh i/b M/s.Vidhi Partners for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 6TH APRIL, 2015.

P.C. :-

1. By consent of the parties the following order is passed :-
 - a). The impugned award dated 14th September, 2012 passed by the learned arbitrator is set aside.
 - b). The parties have no objection if the matter is decided afresh by the learned arbitrator, who had passed the impugned award, if he is available. In the event of the learned arbitrator, who had passed the impugned award not being available, the arbitrator shall be appointed by the appointing authority in accordance with the Rules, Regulations and Multi Commodity Exchange of India and shall communicate the name of the arbitrator to the parties expeditiously.

c). Both the parties have agreed that the pleadings and evidence already on record forming part of the record in the earlier proceedings shall be relied upon by both the parties. If any of the parties seek to file any additional pleadings, the same shall be subject to the order as may be passed by the learned arbitrator.

d). The learned arbitrator shall decide the matter afresh in accordance with law and without being influenced by the findings, observations and the conclusions rendered by the learned arbitrator in the impugned award dated 14th September, 2012.

e). Both the parties have agreed to co-operate with each other and with the learned arbitrator. The learned arbitrator shall make an endeavour to dispose of the arbitral proceedings within six months from the date of the first meeting.

2. The arbitration petition is disposed of in the aforesaid terms.

3. There shall be no order as to costs.

(R.D. DHANUKA, J.)