

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

ARBITRATION PETITION (L) NO.2035 OF 2014

Kernex Microsystems (India) Ltd. ... Petitioner
versus
Konkan Railway Corporation Limited and Anr. ... Respondents

Mr. Venkatesh R. Dhond, Sr. Advocate with Mr. Shyam Kapadia, Mr. Y. Singh
i/by M/s. Auris Legal, for Petitioner.
Ms. Kiran Bagalia, for Respondents.

CORAM: S.J. KATHAWALLA, J.

DATE: 21st JANUARY, 2015

PC.:

1. Heard the learned Advocates for the parties and by consent, the following order is passed :

(i) The Conciliation proceedings pending before Shri Ashish Apte shall be completed within a period of four weeks from the date of this order.

(ii) The learned Conciliator, shall not grant any adjournment to the parties unless absolutely necessary.

(iii) In the event of failure of the conciliation proceedings, the parties shall nominate their respective Arbitrators within a period of one week from the receipt of the failure report. The two learned Arbitrators shall thereupon, nominate the third Arbitrator and shall endeavour to complete the arbitration proceedings within a period of six months from the date of the first meeting

held by the learned Arbitrators with the parties and their Advocates.

(iv) The cost of arbitration shall be borne by the parties equally.

(v) All contentions of the parties are kept open.

(vi) The venue of the Arbitration shall be at Mumbai.

(vii) Pending the arbitration proceedings and for a period of four weeks from the receipt of the Award by the parties, the order of injunction passed by this Court dated 30-12-2014, shall continue to be in operation.

(viii) The Arbitration Petition is accordingly disposed of.

(S.J.KATHAWALLA, J.)