

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

MISC. CIVIL APPLICATION NO.1243 OF 2014

(Shri Bijan Kumar Ghosh ..vs.. Sahara Prime City Ltd. and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.
DATED : 29-06-2015

Heard Mrs. Shilpa S. Pathey, the learned Advocate for the applicant and Shri Kunal Nalamwar, the learned Advocate for the non-applicants.

2. The applicant and non-applicants jointly submit that the dispute between the parties is covered by Clause-21 of the agreement of sale executed between the parties on 30-07-2011. It is submitted that the claim made by the applicant is a live claim.

3. The applicant and non-applicants have filed joint pursis dated 29-06-2015 signed by the learned Advocates for the respective parties and the authorised signatory of the non-applicant No.1-Company stating that the parties agree for referring the dispute for resolution by arbitration to Shri S.Y. Deopujari, Advocate, Nagpur. Accordingly, Shri S.Y. Deopujari, Advocate is appointed as sole arbitrator to conduct the arbitration.

4. The arbitrator shall determine his fees and the

applicant and non-applicants shall pay it in equal proportion to him.

5. In addition, the applicant and the non-applicants shall deposit Rs.10,000/- each with the Registrar of this Court towards security for the fees of the learned Arbitrator. This amount shall be in deposit with the Registrar of this Court till the arbitration proceedings are completed. The applicant and non-applicants agree that they will be depositing the processing charges jointly. The applicant and non-applicants shall deposit Rs.3,000/- as processing charges (Rs.1,500/- to be deposited by the applicant and Rs.1,500/- to be deposited by the non-applicants).

6. The application is allowed in the above terms. In the circumstances, the parties to bear their own costs.

JUDGE