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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO.37 OF 2016

M/s.Lalani Developers	...Petitioner
V/s.	
Hussein I. Dawoodani & Ors.	...Respondents

Mr.Vivek Kantawala with Mr.Paresh Shah and Ms.Meghna Mehta i/b
M/s.Shah & Sanghavi for the Petitioner.

Mr.O.A. Siddiqui with Mr.Kamraj Shaikh for the Respondents.

CORAM : R.D. DHANUKA, J.
DATE : 11TH JULY, 2016.

P.C. :-

1. There is no dispute that the arbitration agreement exists between the parties. The petitioner has filed this petition *inter-alia* praying for a declaration that the mandate of the existing two named arbitrators is terminated. The learned presiding arbitrator has resigned. Learned counsel appearing for the parties submit that the mandate of the two named arbitrators, who are the respondent nos.2 and 3 to this petition be terminated by consent of parties. The statement is accepted.

2. The mandate of the respondent nos.2 and 3 is terminated by consent of parties. The parties are directed to pay the balance

fees, if any, payable to the respondent nos.2 and 3 within two weeks from today.

3. Learned counsel for the parties jointly request that a sole arbitrator be appointed by this Court instead of three arbitrators and to that extent their clients have agreed to modify the arbitration agreement. The statement is accepted.

4. Mr.Simil Purohit, advocate is appointed as a sole arbitrator.

5. The arbitration petition is accordingly disposed of in aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)