

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION (L) NO. 55 OF 2016

IN

SUIT (L) NO. 10 OF 2016

Karan Entertainment Applicant / Plaintiff

Versus

Indian Films Studios Pvt. Ltd.& Ors. ... Defendants

Mr. Manoj Singh a/w. Mr. Puneet Shukla, Mr.L.R. Shukla, Mr. Shivkumar Mishra
i/b. MKS Legal Associates for the Applicant / Plaintiff.

Mr. Chirag Mody a/w. Mr. R.R. Soni i/b. Ashok Purohit and Company for
Defendant Nos. 1 and 2.

CORAM : S.J. KATHAWALLA, J.
DATED : 22ND JANUARY, 2016

P.C.

1. On 18th January, 2016 this Court passed the following order :

“1. By consent of the parties, the disputes in the above Suit are proposed to be referred to Mr. Nimay Dave, Advocate as the sole Arbitrator. Though the order proposed to be passed appointing Mr. Nimay Dave as the Arbitrator is not on an Application under Section 11 of Arbitration and Conciliation Act, 1996 as amended, by the Arbitration and Conciliation (Amendment) Act, 2015, Mr. Nimay Dave, the learned Advocate shall make necessary disclosure as required under Clause (iv) of Sub Section (8) of Section 11 of the Act.

2. Stand over to 22nd January, 2016”.

2. Pursuant to the above order, Mr. Nimay Dave, Advocate has filed disclosure under Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996. The same is taken on record and the following order is

passed by consent :

- i. The disputes between the Plaintiff and Defendant No. 3 pertaining to the amount due to the Plaintiff under the Agreement dated 25th February, 2015, Addendum Agreement dated 10th May, 2015 and Letter of Understanding dated 12th May, 2015 pertaining to the film 'Tu Hi Re' are referred to the sole Arbitration of Mr. Nimay Dave, Advocate.
 - ii. The learned Arbitrator shall endeavour to pass his Award within a period of one year from the date of the first meeting held by him with the parties and their Advocates.
 - iii. The parties shall appear before the learned Arbitrator in his chambers, on 25th January, 2016 at 5.30 p.m. and obtain necessary directions.
 - iv. The cost of arbitration shall initially be borne by the parties equally.
 - v. All contentions of the parties are kept open.
 - vi. The venue of Arbitration shall be at Mumbai.
3. In view of this order, the above Suit as well as Notice of Motion are disposed of.
 4. Refund of Court Fees, if any as per Rules.

(S.J.KATHAWALLA, J.)