

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 469 OF 2016

Dundappa Laxman Godase

..... Petitioner

VERSUS

Mahindra & Mahindra Financial Service Ltd. & Anr. Respondents

Mr.Nagesh Chavan for the Petitioner.

Ms.Priya Crasto for the Respondent no.1.

CORAM : R.D. DHANUKA, J.

DATE : 25th NOVEMBER, 2016

P.C.

Learned counsel appearing for the parties have no objection if the impugned award dated 2nd November, 2015 passed by the learned arbitrator is set aside and the matter is remanded back to the same arbitrator.

2. Learned counsel appearing for the petitioner has agreed to deposit a sum of Rs.1 lakh with the respondent within a period of four weeks from today without prejudice to the rights and contentions of both the parties. Statement is accepted.

3. Learned counsel appearing for the petitioner has agreed to file written statement alongwith supporting documents before the learned arbitrator within four weeks from today and serve a copy thereof upon the respondents' advocate simultaneously.

4. Learned counsel appearing for the petitioner also agrees that his client will not apply for any unnecessary adjournment before the learned arbitrator and will

co-operate with the respondent and with the learned arbitrator in expeditious disposal of the arbitration proceedings. Statement is accepted.

5. Learned arbitrator shall make an endeavour to dispose of the arbitral proceedings within six months from the date of the first meeting after deposit of Rs. 1 lakh is made by the petitioner to the respondent.

6. Learned arbitrator shall decide the matter afresh without being influenced by the observations made and conclusion drawn in the impugned award dated 2nd November, 2015.

7. Arbitration petition is disposed of in the aforesaid terms. No order as to costs.

8. It is made clear that if an amount of Rs.1 lakh is not deposited by the petitioner with the respondent within four weeks from today, Arbitration Petition No.469 of 2016 to stand dismissed without reference to court.

(R.D.DHANUKA, J.)