

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO.176 OF 2016**

Percept Limited ... Applicant
versus
Showman International ... Respondent

Mr. Nikhil Wable with Ms. Pratiksha Kabre i/by M/s. Jayakar and Partners, for Applicant.

Mr. Imran Galani, representative of Respondent present.

CORAM: S.J. KATHAWALLA, J.

DATE: 12th JULY, 2016

P.C.:

1. The above Arbitration Application is filed under Section 11 of the Arbitration and Conciliation Act. The Respondent is in Judicial Custody. However, his representative Mr. Imran Galani, has produced a letter addressed by the Respondent to the Prothonorary and Senior Master, which reads thus :

“I Mr. Mohammed Fasih, the Proprietor of M/s. Showman International, the respondent abovenamed says that I have read over the contents of the Arbitration Application and thus, I hereby agree for appointment of an Arbitrator.

I say that this Hon'ble Court may be pleased to either appoint Mr. Anil Nagrath, as an Arbitrator from my side or this Hon'ble Court may appoint a sole Arbitrator of this Hon'ble Court.”

2. The said letter is taken on record and marked 'X' for identification. In view thereof, the following order is passed by consent :

(i) Mr. Minoo Siodia, Advocate and Solicitor, is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Deed of Assignment dated 20-10-2012.

(ii) The disclosure of Mr. Minoo Siodia, Advocate and Solicitor, under Section 11 (8) read with Section 12 (1) of Arbitration and Conciliation Act, 1996 is taken on record.

(iii) The parties shall appear before the learned Arbitrator in his chambers, on 19th July 2016 at 4.00 p.m. and obtain necessary directions.

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

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

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

(vii) In view of this order, the above Arbitration Application is disposed of.

(S.J.KATHAWALLA, J.)