

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 184 OF 2015

Aishabi Nazmulhussain Bangdiwala ... Applicant
Versus
M.K. Builder and Developer ... Respondent

Mr. I.I. Gave for the Applicant.

Mr. Jahangir K. for the Respondent.

CORAM : S.J. KATHAWALLA, J.

DATED : 12th FEBRUARY, 2016

P.C. :

1. On 5th February, 2016 this Court passed an order, paragraph 10 of which is relevant and is reproduced hereunder :

“10. It is therefore clear that the parties have failed to agree upon the name of any person to be appointed as a sole Arbitrator to resolve their disputes. Hence, the following order :

i. The Court proposes to appoint Mr. Rashmin Khandekar, Advocate to decide the disputes of the Applicant and the Respondent arising out the Agreement dated 15th September, 2008. In view thereof, Mr. Rashmin Khandekar, Advocate shall submit disclosure under Section 11 (8) read with Section 12 (1) of Arbitration and Conciliation Act, 1996.

ii. The Advocate for the Applicant shall forward a copy of this order to Mr. Rashmin Khandekar, Advocate as well as to the Respondents.

iii. All concerned to act on an ordinary copy of this order, duly authenticated by the learned Associate of this Court.

iv. Stand over to 12th February, 2016.”

2. Pursuant to the above order, Mr.Rashmin Khandekar, 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 arising out of the Agreement dated 15th September, 2008 between the parties are referred to the sole Arbitration of Mr.Rashmin Khandekar, Advocate.
 - ii. The parties shall appear before the learned Arbitrator in his chambers, on 17th February, 2016 at 5.30 p.m. and obtain necessary directions.
 - iii. The cost of arbitration shall initially be borne by the parties equally.
 - iv. All contentions of the parties are kept open.
 - v. The venue of Arbitration shall be at Mumbai.
3. In view of this order, the above Arbitration Application is disposed of.

(S.J.KATHAWALLA, J.)