

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO.677 OF 2016**

Essar Oil Ltd. ... Petitioner
versus
Rajesh Chauhan ... Respondents

Dr. B.B.Saraf i/by M/s. RMG Law Associates, for Petitioner.
Mr. Vishal Thaker, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 20th JUNE, 2016

P.C.:

1. Heard the learned Advocates appearing for the parties and the following order is passed by consent :

(i) Mr. Cyrus Ardeshir, Advocate, is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Franchisee Agreement dated 31st March, 2009.

(ii) The disclosure of Mr.Cyrus Ardeshir, Advocate 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 23rd June 2016 at 5.00 p.m. and obtain necessary directions.

(iv) The present Petition shall be treated as a Petition under Section 17 of the Act and decided by the learned Arbitrator within a period of four weeks from today.

(v) The learned Advocate for the Respondent on instructions states that the Respondent is at present not carrying out any construction on the suit premises and prior to commencement of any construction, 15 days clear notice in writing shall be given to the Petitioner to enable them to move the learned Arbitrator seeking appropriate reliefs. The statement is accepted.

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

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

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

(ix) In view of this order, the above Arbitration Petition is accordingly disposed off.

(S.J.KATHAWALLA, J.)