

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 224 OF 2015

M/s. Bombay Railway Engineering Co. ... Applicant
Versus
General Manager, Western Railway ... Respondent

Mr. G.V. Merani for the Applicant.

Mr. Suresh Kumar a/w. Ms. Sangeeta Yadav for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 29TH JANUARY, 2016

P.C.:

1. On 22nd January, 2016 this Court passed the following order :

“1. By an order dated 4th February, 2015, Mr. Ashish Kamath, Advocate was appointed as Arbitrator. However, Mr. Kamath has expressed his inability to act as Arbitrator. In view thereof, the parties have agreed to refer their disputes to Mr. Minoo Siodia, Advocate. In view thereof, Mr. Minoo Siodia, Advocate shall submit disclosure under Section 11 (8) read with Section 12 (1) of Arbitration and Conciliation Act, 1996.

2. The Advocates for the parties shall forward a copy of this order to Mr. Minoo Siodia, Advocate.

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

4. Stand over to 29th January, 2016.”

2. Pursuant to the above order, Mr. Minoo Siodia, 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 Contract Agreement dated 14th July, 2001 between the parties are referred to the sole Arbitration of Mr. Minoo Siodia, Advocate.
- ii. The parties shall appear before the learned Arbitrator in his chambers, on 2nd February, 2016 at 5.00 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. The papers and proceedings of the above Application shall be handed over by earlier Arbitrator to Mr. Minoo Siodia, Advocate.
4. In view of this order, the above Arbitration Application is disposed of.

(S.J.KATHAWALLA, J.)