

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 237 OF 2015

Admirecon Infrastructures ... Applicant

Versus

Sky Anchorage CHSL. ... Respondent

Mr. Afzal B. Khan i/b. Charvy Hatkanagalekar for the Applicant.
None for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 18TH MARCH, 2016

P.C. :

1. On 12th February, 2016 this Court passed an order, paragraph 12 of which is relevant and is reproduced hereunder : :

“12. It is therefore clear that there exists a valid agreement between the parties to have their disputes, arising out of the Agreement dated 27th September, 2010 referred to Arbitration. The Applicant has invoked the arbitration agreement by its letter dated 13th May, 2015. The Respondent has failed to appoint an Arbitrator to resolve their disputes. Hence, the following order :

i. The Court proposes to appoint Mr. Minoo Siodia, Advocate & Solicitor to decide the disputes of the Applicant and the Respondent arising out of the Agreement dated 27th September, 2010. In view thereof, Mr. Minoo Siodia, Advocate & Solicitor shall submit disclosure under Section 11 (8) read with Section 12 (1) of Arbitration and Conciliation Act, 1996.

- ii. The Advocates for the parties shall forward a copy of this order to Mr. Minoo Siodia, Advocate & Solicitor.*
- 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 26th February, 2016. ”*

2. Pursuant to the above order, Mr. Minoo Siodia, Advocate & Solicitor has filed disclosure under Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996. The disclosure is taken on record and the following order is passed by consent :

- i. The disputes arising out of the Agreement dated 27th September, 2010 between the parties are referred to the sole Arbitration of Mr. Minoo Siodia, Advocate & Solicitor.
 - ii. The parties shall appear before the learned Arbitrator in his chambers, on 22nd March, 2016 at 5.00 a.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.
3. A copy of this order shall be forwarded to the Respondent by the Advocate for the Applicant by hand delivery.

(S.J.KATHAWALLA,J.)