

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMM. ARBITRATION PETITION (L) NO.148 OF 2016

Charusheela V. Ganpule and Anr. ... Petitioners
and
Samir Harishchandra Mali and Ors. ... Respondents

Mr. Sahil Saiyed with Ms. Naina Jain i/by M/s. Wadia Ghandy and Co., for
Petitioners.
Ms. Ruta Deodhar i/by M/s. Bhawe and Co., for Respondent Nos.1 and 2.
Mr. Vaibhav Karnik, for Respondent No.3.

CORAM: S.J. KATHAWALLA, J.

DATE: 23rd SEPTEMBER, 2016

P.C.:

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

(i) Mr. Aditya Mehta, Advocate is appointed as the sole Arbitrator to
decide the disputes between the parties arising out of the Partnership Deed dated 9th
November, 2004 read with Supplementary Deed of Partnership dated 6th July, 2007.

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

(iii) The parties shall appear before the learned Arbitrator in his chambers,
on 24th September, 2016 at 11.30 a.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 Arbitrator shall endeavour to adjudicate the disputes and pass his final Award within a period of 16 weeks from the date of this order.

(vi) Pending the passing of the order under Section 17 of the Act by the learned Arbitrator, status quo in respect of the fixed assets of the partnership shall be maintained by the Respondents.

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

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

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

(x) In view of this order, the above Arbitration Petition is disposed of.

(S.J.KATHAWALLA, J.)