

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

COMM. ARBITRATION PETITION (L) NO.149 OF 2016

Sai Marine Associates	...	Petitioner
and		
Tile Marine LLC, Dubai	...	Respondent

**WITH
COMM. ARBITRATION APPLICATION (L) NO.50 OF 2016**

Sai Marine Associates	...	Applicant
and		
Tile Marine LLC, Dubai	...	Respondent

Mr. Nirman Sharma, with Mr. T.S.Tijoriwala, Mrs. Anila Acharya, Ms. Kumudini Shinde i/by Mr. Tushar Tijoriwala, for Petitioner.
Mr. Vishwanathan, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 29th SEPTEMBER, 2016

P.C.:

1. The learned Advocate for the Respondent undertakes to file Vakalatnama on behalf of the Respondent within a period of one week from today. The undertaking is accepted.

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

(i) Mr. Mahernosh Humranwalla, Advocate and Solicitor, is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the

Exclusive Business Cooperation Agreement dated 23-01-2012 executed between the Petitioner and Respondent.

(ii) The disclosure of Mr. Mahernosh Humranwalla, Advocate and Solicitor 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 1st October, 2016 at 12.00 noon and obtain necessary directions.

(iv) The learned Advocate for the Respondent agrees to file an Affidavit as sought in prayer clause (d) of the Petition within two weeks from today.

(v) Both the parties shall be at liberty to move the learned Arbitrator seeking further ad-interim / interim reliefs under Section 17 of the Act. For this purpose, the present Petition may be treated as a Petition under Section 17 of the Act and the Respondent shall be at liberty to file its own Petition.

(v) 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 Comm. Arbitration Petition as well as Comm. Arbitration Application stand disposed of.

(S.J.KATHAWALLA, J.)