

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

ARBITRATION PETITION (L) NO.1123 OF 2016

M/s. Swastik Arts
and
Central Railway

... Petitioner
... Respondent

Mr. Satish Shetty i/by M/s. APS Law Associates, for Petitioner.
Mr. Suresh Kumar for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 10th OCTOBER, 2016

P.C.:

1. Not on board. Upon mentioning, taken on board.
2. Heard the learned Advocates appearing for the parties and the following order is passed by consent :

(i) Mr. Nimay Dave, Advocate is appointed as the sole Arbitrator to decide the disputes between the parties which are the subject matter of the above Petition.

(ii) The disclosure of Mr. Nimay Dave, 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 15th October, 2016 at 10.30 a.m. and obtain necessary directions.

(iv) The present Petition shall be treated as a Petition under Section 17 of the Act and the learned Arbitrator shall endeavour to decide the same within a period

of four weeks from today.

(v) Pending the hearing and final disposal of the Petition under Section 17 of the Act, the order of termination dated 7th September, 2016 (at page 36 of the Petition) is stayed.

(vi) The learned Arbitrator shall endeavour to pass his final Award within a period of twelve weeks from today.

(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.)