

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 1732 OF 2015

Bharat Sanchar Nigam Ltd.

..... Petitioner

VERSUS

T.Verraswamy

..... Respondent

Ms.Martina Sapkal, i/b. Arun Sapkal & Co. for the Petitioner.

Mr.S.K.Jain, i/b. S.K.Jain & Co. for the Respondent.

CORAM : R.D. DHANUKA, J.

DATED : 6th APRIL, 2016

P.C.

By consent of parties, following order is passed :-

- (a) The impugned award dated 9th July, 2015 passed by the learned arbitrator is set aside.
- (b) Parties have no objection if the matter is remanded back to the same arbitrator for making an award denovo. It is made clear that if the petitioner has any apprehension of the alleged bias against the learned arbitrator, the petitioner would be at liberty to make an appropriate application under the provisions of Arbitration and Conciliation Act, 1996 before the learned arbitrator.
- (c) The petitioner undertakes to file written statement before the learned arbitrator within four weeks from today. Undertaking is accepted. A copy of such written statement shall be served upon the respondent's advocate simultaneously.

(d) Rejoinder if any, shall be filed by the respondent within two weeks from the date of service of the written statement/affidavit in reply.

(e) The learned arbitrator shall decide the matter afresh without being influenced by the observations made and conclusions drawn in the impugned award.

(f) Both the parties have agreed to co-operate with each other and with the learned arbitrator in expeditious disposal of the arbitral proceedings.

(g) The learned arbitrator shall make an endeavour to dispose of the arbitral proceedings within six months from the date of the petitioner filing written statement.

(h) All contentions of both the parties are kept open.

2. Arbitration petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]