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

ARBITRATION PETITION NO.347 OF 2016

B.M. Ravindranath Reddy	...Petitioner
V/s.	
M/s.Shree Saibaba Textiles	...Respondent

Mr.Aditya Khanna with Mr.Rahul Karnik for the Petitioner.

Mr.Udayshankar Samudrala with Ms.Brenda Barnes for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 15TH APRIL, 2016.

P.C. :-

1. By consent of parties, the following order is passed :-
 - a). The impugned award dated 13th August, 2015 passed by the arbitral tribunal is set aside.
 - b). Arbitration Case No.13 of 2014-2015 filed by the original claimant is remanded back to the arbitral tribunal. If the arbitral tribunal, which has passed the award is not available, the arbitral tribunal can be constituted in accordance with the alleged arbitration agreement without prejudice to the rights and contentions of both the parties. The original claimant shall forward a copy of the statement of claim along with all the documents which it has relied upon before the

arbitral tribunal to the petitioner herein within two weeks from today. The petitioner undertakes to file the written statement in the arbitral proceedings within two weeks from the date of service of the statement of claim along with all documents and shall serve a copy thereof upon the original claimant's advocate simultaneously. All contentions of both the parties are kept open including the existence of the arbitration agreement.

c). The arbitral tribunal shall decide the matter afresh in accordance with law without being influenced by the observations and conclusions drawn in the impugned award dated 13th August, 2015.

d). The arbitral tribunal shall make an endeavor to dispose of the arbitral proceedings within six months from the date of commencement of the arbitral proceedings.

2. The arbitration petition is accordingly disposed of in aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)