

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 68 OF 2016

Mangal Credit and Pincorp Ltd. ... Applicant
Versus
Chandan Dhansukh Dhodi @ Patel ... Respondent

Mr. K.R.Shah i/by M/s. P.D.Jain and Co., for Applicant.
None for Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 23rd MARCH, 2016

P.C.

1. On 18th March, 2016 this Court passed the following order :

“1. The learned Advocates appearing for the parties have informed the Court that the Court may appoint any Advocate as the sole Arbitrator to decide the disputes between the parties arising out of the Mortgage Deed dated 9th January, 2013. The Court proposes to appoint Mr. Hiren Kamod, Advocate. In view thereof, Mr. Hiren Kamod, Advocate shall submit disclosure under Section 11 (8) read with Section 12 (1) of Arbitration and Conciliation Act, 1996.

2. The Advocates for the parties shall forward a copy of this order to Mr. Hiren Kamod, Advocate.

3. All concerned to act on an ordinary copy of this order, duly authenticated by the learned Associate of this Court.

4. Stand over to 23rd March, 2016.”

2. Pursuant to the above order, Mr. Hiren Kamod, Advocate has filed disclosure under Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996. The learned Advocates for the parties have gone through the disclosure and have informed the Court that they have no objection qua the disclosure and appointment of Mr. Hiren Kamod, Advocate. The disclosure is taken on record and the following order is passed by consent :

i. The disputes arising out of the Mortgage Deed dated 9th January, 2013 between the parties are referred to the sole Arbitration of Mr. Hiren Kamod, Advocate.

ii. The parties shall appear before the learned Arbitrator in his chambers, on 31st March, 2016 at 5.00 p.m. and obtain necessary directions.

iii. The cost of arbitration shall initially be borne by the parties equally.

iv. All contentions of the parties are kept open.

v. The venue of Arbitration shall be at Mumbai.

3. In view of this order, the above Arbitration Application is disposed of. A copy of this order shall be forthwith forwarded to the learned Advocate for the Respondent as well as to the Respondent.

(S.J.KATHAWALLA, J.)