

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 45 OF 2016

K.R. Patel ... Applicant

Versus

Fermenta Biotech Limited ... Respondent

Mr. Rushabh Sheth i/b. M.S. Bodhanwalla and Company for the Applicant.
Ms. Shruti i/b. Chitnis and Company for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 18th FEBRUARY, 2016

P.C.:

1. On 15th February, 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 Non-Competition Agreement dated 1st February, 2002. The Court proposes to appoint Mr. Firdosh Pooniwala, Advocate. In view thereof, Mr. Firdosh Pooniwala, 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. Firdosh Pooniwala, 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 18th February, 2016.”

2. Pursuant to the above order, Mr. Firdosh Pooniwala, Advocate has filed disclosure under Section 11 (8) read with Section 12 (1) of the Arbitration and

Conciliation Act, 1996. The same is taken on record and the following order is passed by consent :

- i. The disputes arising out of the Non-Competition Agreement dated 1st February, 2002 between the parties are referred to the sole Arbitration of Mr. Firdosh Pooniwala, Advocate.
 - ii. The parties shall appear before the learned Arbitrator in his chambers, on 25th February, 2016 at 5.30 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.

(S.J.KATHAWALLA, J.)