

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**ARBITRATION PETITION NO.28 OF 2017
WITH
ARBITRATION PETITION NO.12 OF 2017
ARBITRATION PETITION NO.26 OF 2017
ARBITRATION PETITION NO.56 OF 2017
ARBITRATION PETITION NO.58 OF 2017
ARBITRATION PETITION NO.59 OF 2017**

M/s.Ashoka Buildcon Ltd. joint venture)
With M/s.Tesla Transformers Ltd.)....Petitioners

V/s.

Maharashtra State Electricity Distribution)
Company Ltd. through its Chief Engineer)
(Infra))....Respondents

Mr.R.S.Apte senior Advocate i/by Mr.A.A.Garge for petitioners.

Mr.Ashish Singh i/by DSK Legal for respondents.

CORAM : K.R.SHRIRAM,J

DATE : 3.11.2017

P.C.:-

By consent, following order is passed :-

1(a) Arbitration Petition No.28 of 2017
 and
 Arbitration Petition No.12 of 2017

Mr. Justice V.M. Kanade (retired) having his office at
Examiner Press Building, Opp.Dwarka Hotel, Dalal Street, Mumbai-
400 001, Mobile No.9820308228 is appointed as sole Arbitrator -

(i) to adjudicate on disputes and/or differences arising out
of, in connection with and relating to Letter of Award no.CE(Dist)/

Infra-Plan Phase-II/Mumbai/08-09/13669 dated 06.05.2009 for Turnkey Contract for Infrastructure Plan Phase II - Tender no.52 for works in Karjat Division under Ahmednagar Circle of Nashik Zone [Arbitration Petition No.28 of 2017]; and

(ii) to adjudicate on disputes and/or differences arising out of, in connection with and relating to Letter of Award no.CE(Dist)/Infra-Plan Phase-I/Mumbai/07-08/34106 dated 05.09.2008 for Turnkey Contract for Infrastructure Plan Phase I - Tender no.8 for works in Aurangabad Zone (R) & Kannad Divisions under Aurangabad (R) Circle and Jalna-II Division under Jalna Circle of Aurangabad Zone [Arbitration Petition No.12 of 2017].

1(b) Arbitration Petition No.26 of 2017
and
Arbitration Petition No.59 of 2017

Mr.Justice R.Y.Ganoo (retired) having his office at office no.19, 1st floor, Rohit Chambers, Janmabhoomi Marg, Fort, Mumbai-400 001, Mobile No.9920167959 is appointed as sole Arbitrator -

(i) to adjudicate on disputes and/or differences arising out of, in connection with and relating to Letter of Award no.CE(Dist)/Infra-Plan Phase-II/Mumbai/08-09/6565 dated 02.03.2009 for Turnkey Contract for Infrastructure Plan Phase II - Tender no.36 for works in Jalna-I division under Jalna circle of Aurangabad zone & Hingoli and Parbhani division under Parbhani Circle of Nanded zone

[Arbitration Petition No.26 of 2017]; and

(ii) to adjudicate on disputes and/or differences arising out of, in connection with and relating to Letter of Award no.CE(Dist)/Infra-Plan Phase-II/Mumbai/08-09/6574 dated 02.03.2009 for Turnkey Contract for Infrastructure Plan Phase II - Tender no.65 for works in Shahada Division under Nandurbar Circle of Jalgaon zone [Arbitration Petition No.59 of 2017].

1(c) Arbitration Petition No.56 of 2017
and
Arbitration Petition No.58 of 2017

Dr.Justice S.Radhakrishnan (retired) having his office at 110, Dalamal Chambers, New Marine Lines, Behind Income Tax office, Mumbai-400 020, Mobile No.9920030650 is appointed as sole Arbitrator -

(i) to adjudicate on disputes and/or differences arising out of, in connection with and relating to Letter of Award no.CE(Dist)/Infra-Plan Phase-II/Mumbai/08-09/13671 dated 06.05.2009 for Turnkey Contract for Infrastructure Plan Phase II - Tender no.54 for works in Dondaicha Division under Dhule Circle of Jalgaon Zone [Arbitration Petition No.56 of 2017]; and

(ii) to adjudicate on disputes and/or differences arising out of, in connection with and relating to Letter of Award no.CE(Dist)/Infra-Plan Phase-II/Mumbai/08-09/13672 dated 06.05.2009 for

Turnkey Contract for Infrastructure Plan Phase II - Tender no.59 for works in Dharangaon Division under Jalgaon Circle of Jalgaon zone [Arbitration Petition No.58 of 2017].

2 Each of the arbitration proceedings will proceed independently. Each reference is for deciding on claims and counter claims. The fees of the arbitrators, administrative expenses, typing charges and venue charges in each of the arbitration proceedings shall be shared equally between the parties and the same will be cost in the respective arbitral proceedings.

3 Within 4 weeks of receiving communication from the advocates for petitioners or for respondents forwarding a copy of this order, the learned arbitrator shall file with the parties, disclosure in writing as required under Section 11(8) read with 12(1) of Arbitration & Conciliation Act 1996.

4 All the petitions accordingly stand disposed.

(K.R.SHRIRAM,J)