

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION PETITION NO. 77 OF 2016**

M/s. Saffron Techno Solutions
Pvt. Ltd.,
Through Authorised Signatory
Mr. Vaibhav S. Dhanawade

.. Petitioner

Vs.

Mr. Pranab Shende
A Proprietor of
M/s. Sseheurie Powertech

.. Respondent

Mr. Aditya Pratap for petitioner.
Mr. Surel Shah for respondent.

**CORAM : K.R. SHRIRAM, J.
DATE : 6TH NOVEMBER 2017**

P.C.

1 Parties, by consent, request Mrs. Molina Thakur, an Advocate practicing in this Court be appointed as Arbitrator.

2 Accordingly, Mrs. Molina Thakur, an Advocate, residing at B/16, Aarti Building, 1st Floor, Dyansadhana College Road, Oswal Apartment, Thane (West) 400 604; Mobile No. 9820884882 is appointed as Sole Arbitrator to adjudicate on disputes and differences, with reference to, arising out of and in connection with the Leave and License Agreement dated 24th November 2015. The fees, administrative expenses, typing charges, venue expenses of the Arbitrator to be shared equally between the parties and the same will be costs in the arbitration proceedings.

3 The Arbitrator to give disclosure as required under the provisions of Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996 within two weeks of receiving communication from the Advocate for petitioner forwarding a copy of this order.

4 Arbitration Petition accordingly disposed.

5 Mr.Shah for respondent states that respondent has filed a suit being Special Civil Suit No. 351 of 2017 in the Court of Civil Judge (S.D.), Thane at Thane. Mr.Shah further states that respondent be permitted to withdraw the suit and file copy of those proceedings before the Learned Arbitrator as counterclaim in addition to the defence that respondent will file to the claim of petitioner.

Mr.Pratap, Advocate for petitioner has no objection and states that petitioner will not raise the issue of res-judicata or such similar objections.

Mr.Shah states he will withdraw Special Civil Suit No.351 of 2017 within two weeks from today.

6 The Arbitrator to consider the claim of petitioner as well as the counterclaim of respondent.

(K.R. SHRIRAM, J.)