

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

COMM.ARBITRATION PETITION NO.126 OF 2017

Mr.Siddhanta Ashdhir & Anr.)....Petitioners
V/s.

M/s.Dhiraj Motion Picture Pvt. Ltd.& Ors.)....Respondents

Mr.Anand Mishra i/by A.M.Saraogi for petitioners.

Ms.Aparna Vhatkar a/w Mr.Gajendra Jadhav i/by Shailesh I.Kanthria
for respondent no.1.

Mr.Zal Andhyarujina a/w Mr.A.Dasgupta i/by Jhangiani, Narulla &
Associates for respondent no.2.

Ms.Megha Chandra i/by Naik Naik and Co. for respondent no.3.

Ms.Deepti Panda a/w Mr.Kunal Parekh i/by M/s.Thakore Jariwala &
Associates for respondent no.4.

CORAM : K.R.SHRIRAM,J

DATE : 22.11.2017

P.C.:-

1 The matter was heard for some time on 15.11.2017. Today
Mr.Saraogi for petitioners states that petitioners will drop respondent
nos.3 & 4 and will take such other proceedings as advised. Therefore,
respondent nos.3 & 4 are struck off with liberty to petitioners to take
such steps in accordance with law.

2 Counsel for petitioners and counsel for respondent nos.1 &
2 state in unison that they are ready and willing to refer all disputes
which is the subject matter of arbitration petition to sole arbitrator.

3 Accordingly, following order is passed, by consent.

ORDER

(a) Mr.Piyush Raheja, an advocate practicing in this court, having his office at 302, B-wing, Jort Chambers, above Stock Exchange post office, Homi Modi 2nd Cross Lane, Fort Mumbai-400 001, Mobile no.9833385090, is appointed as sole arbitrator to adjudicate upon all disputes and differences, including counter claim, if any, arising out of, in relation to and or in connection with the two agreements dated 3.10.2015 entered into between petitioners and respondent nos.1 & 2;

(b) The fees, administrative expenses, typing charges and venue charges shall be shared equally between the parties i.e., 50% by petitioners and 50% by respondent nos.1 & 2 and the same will be cost in the arbitral proceeding ;

(c) Within 3 weeks of receiving a copy of this order either from the advocates for petitioners or for respondents, the learned Arbitrator shall file with the parties, disclosure in writing as required under Section 11(8) read with section 12(1) of Arbitration and

Conciliation Act 1996;

(d) All rights and contentions of parties are kept open including the stand of respondent no.2 that agreements relied upon, have not been signed by respondent no.2 and there is no arbitration clause so far as respondent no.2 is concerned ;

(e) Liberty to parties to file a photo copy of the petition along with affidavits in reply and rejoinder if any, which the arbitrator will consider as an application under Section 17 of the said Act ;

(f) Parties are at liberty to file further affidavits and documents before the arbitrator ;

(g) Petition accordingly stands disposed.

4 In view of this order, Arbitration Application No.88 of 2017 stands disposed.

(K.R.SHRIRAM,J)