

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

ARBITRATION APPLICATION NO.56 OF 2017

JMM Infra Project Pvt. Ltd.	...	Applicant
versus		
Government of Maharashtra, through Executive Engineer, PWD and Ors.	...	Respondents

Dr. Milind Wankhede, for Applicant.
Mr. Upadhyay, AGP, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 19th DECEMBER, 2017

P.C.:

1. Heard the learned Advocates appearing for the parties and the following order is passed :

(i) The disputes between the Applicant and the Respondents arising out of the Contract for the work of "*Improvement to Alibag Pen Khopoli Road (SH-87) with private financing and Toll rights on Build, Operate and Transfer basis*", are referred to Mr. R.H.Tadvi [nominated by the Applicant] and Justice Dr. S. Radhakrishnan (Retired) [nominated by the Respondents].

(ii) The disclosures of the learned Arbitrators under Section 11 (8) read with Section 12 (1) of the Arbitration and Conciliation Act, 1996 are taken on record.

(iii) Both the learned Arbitrators shall appoint a third Arbitrator.

(iv) A copy of this order shall be forthwith forwarded to Mr. R.H.Tadvi and

Justice Dr. S. Radhakrishnan (Retd).

(v) The above Arbitration Application is accordingly disposed of.

(S.J.KATHAWALLA, J.)