

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

COMMERCIAL ARITRATION APPLICATION NO. 102 OF 2017

Ravee Botalje & Anr.

.. Applicants

Vs.

Krishna Sai Dev. Corpn. & Ors.

.. Respondents

WITH

COMMERCIAL ARITRATION APPLICATION NO. 144 OF 2017

Shree Krishna Sai Development
Corporation

.. Applicant

Vs.

Young Men's Progressive Co-op. Soc.
Ltd. & Ors.

.. Respondents

Mr.Yuvraj P. Narvankar for applicant in CARAP/102/2017 and for respondent in CARAP/144/2017.

Ms.Aparna Deokar i/b M.P. Vashi and Associates for respondent in CARAP/102/2017 and for applicant in CARAP/144/2017.

CORAM : K.R.SHRIRAM, J.

DATE : 24TH NOVEMBER 2017

P.C.

1 By consent, Commercial Arbitration Application No. 144 of 2017, though not listed on board today, taken up for hearing.

2 The counsel appearing for applicant and counsel appearing for respondent jointly request the Court to substitute the earlier appointed

Arbitrator, who has recused himself, with a new Arbitrator. In effect, both counsel state that the Court has to only replace the name of the earlier Arbitrator Mr.Yogesh Deshpande, referred to in Paragraphs 1 and 3 of the consent terms which was taken on record on 7th March 2017 and appoint Mr. Sarosh Bharucha, an Advocate as Sole Arbitrator in his place.

3 Accordingly, Mr.Sarosh Bharucha, an Advocate practicing in this Court, having office at 201-202, Savla Chambers, 40, Cawasji Patel Street, Fort, Mumbai 400 001, Telephone No. 2282 6518, 2281 0583/84/87, 33640175, Mobile No. 9821034806, Email Id : sbharucha@gmail.com in place of Mr. Yogesh Deshpande.

It is clarified that rest of the order as recorded in the consent Minutes of the Order taken on record on 7th March 2017 remains unaltered.

4 Within three weeks of receiving a communication from the advocate for petitioner and/or respondent, the Arbitrator shall give in writing, to directly to parties disclosure as required under Section (11)(8) read with Section 12(1) of the said Act.

5 Mr. Narvankar appearing for applicant undertakes on behalf of

applicant that applicant shall pay the fees and expenses that is outstanding of the earlier Arbitrator within two weeks.

6 Both Commercial Applications disposed accordingly.

(K.R. SHRIRAM, J.)