

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

**NOTICE OF MOTION NO.56 OF 2017
IN
ARBITRATION APPLICATION NO.270 OF 2016**

Mr.Meenanath Fatarpekar)....Applicant
V/s.

MicroStrategy India Pvt. Ltd.)....Respondent

Mr.Meenanath Fatarpekar-applicant in person.

Mr.Roshan Pinto i/by Kochhar and Co.for respondent.

CORAM : K.R.SHRIRAM,J

DATE : 22.11.2017

P.C.:-

1 For reasons mentioned in the affidavit in support, Arbitration Application No.270 of 2016 stands restored. Notice of Motion disposed accordingly.

2 Though not listed, by consent, Arbitration Application No.270 of 2016 is taken up for hearing.

3 Mr.Fatarpekar-applicant who is present in person and Mr.Pinto appearing for respondent jointly request that arbitrator be appointed to take over from the stage at which the earlier arbitrator Shri Salil Shah has left. Mr.Fatarpekar and Mr.Pinto state that they will share arbitrator's expenses including fees and same could be

made cost in arbitral proceeding. Mr.Fatarpekar and Mr.Pinto also state that they shall endeavour to prosecute the arbitration proceeding expeditiously. Therefore, by consent, the following order is passed.

ORDER

- (a) Mr.Jehangir Jejeebhoy, an advocate practicing in this court, having his office at 29/29A, Alli Chambers, N.M.Road, Fort, Mumbai-400 030, Mobile No.9820395211, Email : jejeebhoy@gmail.com, is appointed as sole arbitrator to arbitrate on all disputes/differences, including counter claim, if any, arising out of or in connection with or in relation to employment contract dated 2.7.2012 entered into between the applicant and respondent;
- (b) The fees, administrative expenses, typing charges and venue charges if any, to be shared equally between the parties and the same will be cost in the arbitral proceeding ;
- (c) Within 3 weeks of receiving a copy of the order either from the applicant or respondent, the arbitrator shall file disclosure in writing as required under Section 11(8) read with section 12(1) of Arbitration and Conciliation Act 1996, directly with the parties ;
- (d) Arbitrator shall begin from the stage at which the earlier arbitrator had left ;
- (e) Application accordingly, disposed.

(K.R.SHRIRAM,J)