

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
AND  
IN IT'S COMMERCIAL DIVISION**

**COMMERCIAL ARBITRATION PETITION NO.438 of 2017  
AND  
COMMERCIAL ARBITRATION APPLICATION NO.104 of 2017**

|                              |     |                   |
|------------------------------|-----|-------------------|
| Toyota Lakozy Auto Pvt. Ltd. | ... | <b>Petitioner</b> |
| V/s.                         |     |                   |
| Shakuntala Jamb              | ... | <b>Respondent</b> |

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Mr. B.K.Ashok i/by M/s Bekay Legal for the Petitioner.  
Mr. Kunal Dwarkadas with Mr. Oaril Panchal i/by M/s Mahimtura  
and Company for the Respondent.

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**CORAM : K.R.SHRIRAM, J.  
DATED : NOVEMBER 14, 2017.**

**P.C. :**

1. By consent, the following order is passed :-

**ORDER**

1. Mr. Raj Mohan Patel, an Advocate practicing in this Court having his office at 15A, Alli chambers, 1<sup>st</sup> floor, Homi Mody 2<sup>nd</sup> Cross Lane, Fort, Mumbai 400001, office telephone No.22652429, mobile No.9819775727, e-mail – rajm\_patel@yahoo.com is appointed as sole Arbitrator to arbitrate on all disputes and differences including counter-claim, if any, arising

out of, in connection with and relating to the refund of security deposits claimed by Petitioner in the Lease Deed dated 22<sup>nd</sup> April, 2010 and Amenities Agreement dated 22<sup>nd</sup> April, 2010.

2. The fees, to be fixed by the Arbitrator, administrative expenses, typing charges and venue charges to be shared equally between the parties and the same will be cost in the Arbitration Proceedings.

3. The Arbitrator to file disclosure in writing as required under Section 11(8) r/w 12(1) of Arbitration and Conciliation Act, 1996 (the said Act) with the parties, within three weeks of receiving communication either from the Petitioner or the Respondent forwarding a copy of this order.

4. The Petition No.438 of 2017 be heard as an application under Section 17 of the said Act by the Arbitrator and affidavit-in-reply filed be considered as reply to the application. If parties wish to file any further affidavits or documents, they are at liberty to do so.

5. All rights and contentions of the parties are kept open.

2. In view of the above, Arbitration Petition No. 438 of 2017 and Arbitration Application No.104 of 2017 stand disposed.

**(K.R.SHRIRAM, J.)**

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