

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

**COMMERCIAL ARBITRATION PETITION (L) NO.331 OF 2017
ALONGWITH
COMMERCIAL ARBITRATION APPLICATION (L) NO.99 OF 2017**

M/s Color 9 Production LLP Applicant

Vs.

Jatinder Singh s/o Pritpal Singh Respondent

Mr. Prayag B. Joshi i/by A.Q. Motiwala for the applicant.
Mr. V.V. Khemka i/by Dipesh Siroya for the respondent.

**Coram : G.S. KULKARNI, J.
Date : 6 September, 2017**

P.C. :

- 1 Learned learned counsel for the parties.
- 2 Commercial Arbitration Petition (L) No. 331 of 2017 is filed under Section 9 of the Arbitration and Conciliation Act and Commercial Arbitration Application (L) No. 99 of 2017 is filed under Section 11 of Arbitration and Conciliation Act, 1996. Both these petitions are listed today.

3 Learned counsel for the parties state that the parties have consented for appointment of Mr. Vishwajit P. Sawant, Advocate as a sole Arbitrator to arbitrate the dispute between the parties. A disclosure under Section 11(8) read with Section 12(1) of the Arbitration Act has been placed on record by Mr. Vishwajit P. Sawant, Advocate, which is taken on record and marked 'X' for identification.

4 In view of appointment of the learned Arbitrator, learned counsel for the petitioner is not pressing the Section 9 petition and seeks to withdraw the petition with liberty to move an appropriate application under Section 17 of the Arbitration and Conciliation Act, 1996 before the learned sole Arbitrator. Accordingly, Commercial Arbitration Petition (L) No.331 of 2017 filed under Section 9 of the Arbitration and Conciliation Act is allowed to be withdrawn, with liberty as prayed for.

5 Commercial Arbitration Application (L) No. 99 of 2017 as filed under Section 11 of Arbitration and Conciliation Act is disposed of by appointing Mr. Vishwajit P. Sawant as a sole Arbitrator to

arbitrate the dispute between the parties. No costs.

6 Copy of the order be forwarded to Mr Vishwajit P.
Sawant, Advocate.

7 Parties to act on authenticated copy of this order.

(G.S. KULKARNI, J.)