

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 363 OF 2015**

PACL Ltd

...Petitioner

Versus

Prateek Kumar & Ors

...Respondents

WITH

CHAMBER SUMMONS NO. 1267 OF 2015

AND

NOTICE OF MOTION NO. 779 OF 2015

AND

CHAMBER SUMMONS NO. 1267 OF 2015

IN

ARBITRATION PETITION NO. 363 OF 2015

WITH

ARBITRATION APPLICATION NO. 20 OF 2016

**Mr Mayur Shetty, with Dikshat Mehta, i/b Rajani Associates, for the
Petitioner.**

**Mr Prathamesh Kamat, with Tuba Taiseen & Asfiya Cutchi, i/b KK
Associates, for Respondent No. 1.**

Mr SB Deshmukh, for Respondents Nos. 43 to 45.

CORAM: G.S. PATEL, J

DATED: 21st April 2017

PC:-

1. Mr Justice Mohit Shah, former Chief Justice of this Court, has consented to act as Sole Arbitrator. His Statement of Disclosure is taken on record and marked “X” for identification with today’s date.
2. It is clarified that the parties to the arbitration will be all the parties to Arbitration Application No. 20 of 2016. PACL Ltd will be the Claimants. Since there are as many as 42 Respondents, the Applicants PACL Ltd will bear 50% of all arbitration costs including the learned Arbitrator’s fees, and the Respondents will together bear the remaining 50% of the arbitration costs and Arbitrator’s fees.
3. The present Arbitration Application under Section 9 will be filed before the learned Sole Arbitrator as an application under Section 17 of the Arbitration & Conciliation Act, 1996.
4. The interim order dated 22nd December 2014 will continue for the present. However, it will be for the learned Sole Arbitrator to decide whether to continue the order further.
5. The Arbitration Petition, Arbitration Application and all interlocutory proceedings are disposed of in these terms with no order as to costs.

(G. S. PATEL, J.)