

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIDNARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION NO. 433 OF 2017
WITH
COMMERCIAL ARBITRATION APPLICATION NO. 93 OF 2017

Ravikant Umakant Mishra, Partner ...Petitioner/Applicant
of Suntastic Media LLP

Versus

Manish S/o Dilbahadur Vashisht ...Respondent

Mr. Ditendra Mishra for the Petitioner/Applicant.
Mr. Rahul Karnik for the Respondent.

CORAM: G.S. KULKARNI, J.
DATED: 11th September, 2017

PC:-

1. Heard learned counsel for the parties. Commercial Arbitration Application No. 93 of 2017 is filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') and the Companion petition no. 433 of 2017 has been filed under section 9 seeking interim protective measures.

2. After this petition was heard for sometime, learned counsel

for the parties on instructions state that the parties are agreeable for appointment of an arbitrator to arbitrate the disputes between the parties arising out of the partnership deed dated 09/03/2016. In the circumstances, I propose to appoint Mr. Jaydeep Mitra Advocate, as a sole arbitrator to arbitrate the disputes between the parties. In the first instance, the proposed arbitrator would make a disclosure in terms of Section 11(8) read with Section 12(1) of the Act and thereafter, enter upon a reference. Liberty to apply in case the proposed arbitrator is unable to comply. All contentions of the parties on merits of such application are expressly kept open.

3. As regards the contentions of the petitioner as urged in the Section 9 petition, the parties agree that the petitioner be permitted to move a necessary application under Section 17 of the Act before the learned arbitrator.

4. The learned arbitrator shall endeavour to consider and decide the Section 17 application as early as possible and within four weeks of the parties approaching the learned arbitrator. Arbitration Application No. 93 of 2017 is accordingly disposed of in the above terms.

(G.S. Kulkarni, J.)