

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***ORDINARY ORIGINAL CIVIL JURISDICTION*****ARBITRATION PETITION NO. 649 OF 2017****A to Z Retail Limited****..... Petitioner****VERSUS****Chirag Pittie & Anr.****..... Respondents**

Mr.P.Ranjan, i/b. Halai & Co. for the Petitioner.

Mr.Sandesh Jadhav, i/b. Mr.Dinesh Kumar Dubey for the Respondent nos. 1 and 2.

CORAM : R.D.DHANUKA, J.**DATE : 24th NOVEMBER, 2017****P.C.**

By this petition filed under section 27 of the Arbitration and Conciliation Act, 1996, the petitioner seeks an order and direction to call Mr.S.K.Jain and for issuance of the witness summons upon him to produce various documents annexed to the MOU dated 25th March, 2009 before the learned arbitrator.

2. Learned counsel for the petitioner invited my attention to the order dated 7th May,2017 passed by the learned arbitrator, allowing the application filed by the petitioner herein to make an application under section 27 before this court for summoning Mr.S.K.Jain only for the production of the documents.

3. Learned counsel for the respondents has no objection if

Mr.S.K.Jain is issued witness summons for producing the documents described in documents annexed at MOU dated 25th March,2009. Statement is accepted.

4. Arbitration petition is made absolute in terms of prayer clause (a).
5. The Office shall mention in the witness summons that the witness shall remain present for production of the documents on the next date fixed by the learned arbitrator or on the subsequent dates as and when his presence is required. The parties are directed to inform the office about the next date fixed by the learned arbitrator within one week from today.
6. Arbitration petition is disposed of in the aforesaid terms. No order as to costs.

(R.D.DHANUKA, J.)