

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***ORDINARY ORIGINAL CIVIL JURISDICTION*****ARBITRATION PETITION NO. 617 OF 2017****Akal Co-operative Housing Society Ltd. Petitioner****VERSUS****H2 Builders****..... Respondent**

Ms.Sayali Bhaidkar, i/b. Mr.J.P.Shah for the Petitioner.

Mr.Ryan Menezes, i/b. Jhangiani Narulla & Associates for the Respondent.

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 issuance of the witness summons against the witnesses whose names are described in clause (a) of the arbitration petition. Learned counsel for the petitioner invited my attention to the minutes of the meeting dated 18th July, 2017 issued by the learned arbitrator granting permission to the petitioner to examine further witnesses after getting necessary orders from this court under section 27 of the Arbitration and Conciliation Act, 1996.

2. Learned counsel for the respondent has no objection if the prayer clause (a) is granted by this court. Statement is accepted.

3. Arbitration petition is accordingly made absolute in terms of prayer clause (a).

4. The Office is directed to issue witness summons upon the witnesses whose names are described in prayer clause (a) of the petition with a direction to remain present before the learned arbitrator on the date as may be fixed by the learned arbitrator and on all subsequent dates as and when their presence is necessary.

5. The parties are directed to inform the next date fixed by the the learned arbitrator to enable the office to issue witness summons in advance. The parties have agreed to inform the learned Prothonotary and Senior Master about next date of the hearing before 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.)