

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

IN ITS COMMERCIAL DIVISION

COMM. ARBITRATION APPLICATION NO.17 OF 2017

Capital First Limited)....Applicant
V/s.

The New India Assurance Co. Ltd.)....Respondent

Dr.Abhinav Chandrachud a/w Ms.Madhu Gadodia i/by Naik Naik &
Co. for the applicant.

Mr.Vipul Shukla for respondent.

CORAM : K.R.SHRIRAM,J

DATE : 28.11.2017

P.C.:-

1 By consent, the following order is passed :-

ORDER

(a) Mr.Justice R.Y.Ganoo (retired), former Judge of this court having his office at Unit No.2, 2nd Floor, R.No.26, Building No.32, Raja Bahadur Compound, Ambalal Doshi Marg, Fort, Mumbai-400 023, Mob.No.9920167959, is appointed as sole arbitrator to arbitrate on the disputes/differences including counter claim, if any, arising out of or relating to or in connection with the Fidelity Guarantee Insurance Policy No.13100046110900000028 ;

(b) The fees, administrative expenses, typing charges and venue charges shall be shared equally between the parties and the

same will be cost in the arbitral proceeding ;

(c) Within 3 weeks of receiving a copy of this order, either from the advocates for the applicant or for respondents, the learned Arbitrator shall file with the parties, disclosure in writing as required under Section 11(8) read with section 12(1) of Arbitration and Conciliation Act 1996;

(d) All rights and contentions of the parties are kept open except the question of existence of arbitration clause ;

(e) Application accordingly stands disposed.

(K.R.SHRIRAM,J)