

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

**COMMERCIAL ARBITRATION PETITION NO. 14 OF 2017
WITH
NOTICE OF MOTION NO. 15 OF 2017
IN
COMMERCIAL ARBITRATION PETITION NO. 14 OF 2017**

Ashwani Goyal & Anr.

.. Petitioners

v/s.

Reliance Capital Ltd.

.. Respondent

Mr. Peppino Bahl i/b Law Offices of Divya Bahl for the petitioners
Mr. Omkar Khayam Shaikh a/w Vikas Salvi i/b Vikas Salvi &
Associates for the respondent

**CORAM : M.S. SANKLECHA, J.
DATED : 5th OCTOBER, 2017**

P.C.

1. This petition under Section 34 of the Arbitration and Conciliation Act 1996 (the Act), challenges the Award dated 21st September 2016 passed by the sole Arbitrator.

2. In view of the agreement arrived at between the petitioners and the respondent, the impugned Award dated 21st September, 2016 is set aside, by consent. It is made clear that I have not examined the merits of the impugned Award.

3. It is agreed between the parties that in terms of Clause 17 of the loan agreement dated 31st March, 2013, the respondent would appoint an Arbitrator to adjudicate upon the dispute between the parties. Mr. Shaikh, learned counsel for the respondent on instruction further states that the sole Arbitrator to be appointed in the above terms, would be a person other than Mr. B.A. Shelar and Mr. Ramesh Bhandurge.

4. Thus, the petition is disposed of in the above terms.

5. In view of the disposal of the petition, nothing survives in the motion and is also disposed of as infructuous.

(M.S. SANKLECHA, J.)