

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION PETITION NO. 69 OF 2018

Kishor Sukhdev Sindhvani

... Petitioner

Versus

Garva Properties LLP and Ors.

... Respondents

Mr.Amey Deshpande for the Petitioner.

Mr.R.P.Saroj for the Respondents.

CORAM : S.J. KATHAWALLA, J.
DATED : 6TH DECEMBER, 2018

P.C.:

1. The Petitioner has filed the above Arbitration Petition against the Respondents under Section 11 of the Arbitration and Conciliation Act, 1996, as amended by Arbitration and Conciliation (Amendment) Act, 2015 (the Act) for appointment of a sole Arbitrator to resolve the disputes that have arisen between the parties under the Limited Liability Partnership Reconstitution Agreement of Garva Properties LLP dated 24th August, 2016 (the Agreement).

2. Clause 16 of the said Agreement pertains to arbitration and the same is reproduced hereunder :

"16. MISCELLANEOUS PROVISIONS :

..... All disputes between the partners or between the Partner and the said LLP arising out of the limited liability partnership agreement which cannot be resolved in terms of this

agreement shall be referred for arbitration as per the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996)".

3. In view thereof, the following Order is passed :
 - i. Mr.K.D. Bhosale, (Retired District Judge) is appointed as the sole Arbitrator to decide the disputes between the parties arising out of Limited Liability Partnership Reconstitution Agreement of Garva Properties LLP dated 24th August, 2016.
 - ii. Mr. K.D. Bhosale, (Retired District Judge) shall file his disclosure under Section 11 (8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996 on 13th December, 2018.
 - iii. All contentions of the parties are kept open.
 - iv. The cost of arbitration shall initially be borne by the parties equally.
 - v. The venue of the arbitration shall be at Pune.
 - vi. The above Arbitration Petition is accordingly disposed off.
 - vii. Though the above Arbitration Petition is disposed off, place the same on board on 13rd December, 2018 for filing of disclosure.

(S.J.KATHAWALLA, J.)