

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION PETITION NO. 68 OF 2018

Viswakarma Buildtech (India) Private Limited ... Petitioner
Versus
Nidhi Industries Private Limited ... Respondent

Mr. Amey Deshpande for the Petitioner.
Ms. Disha Karambar-Mulgaonkar alongwith Ms. Priya Rita instructed by Disha Karambar and Associates for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 7th DECEMBER, 2018

P.C.:

1. Heard the Learned Advocates appearing for the parties and the following order is passed, by consent :-

(a) Mr. Cyrus Bharucha, Advocate is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Business Arrangement Agreement dated 18th March, 2016.

(b) Advocate Cyrus Bharucha shall file his disclosure under Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996 as amended by the Arbitration and Conciliation (Amendment) Act, 2015 (Act No.3 of 2016) (the Act) on or before 13th December, 2018.

(c) The parties and/or their Advocates shall appear before the Learned Arbitrator in his Chambers on 8th December, 2018 at 11.00 a.m. and obtain necessary directions.

(d) The venue of arbitration shall be at Mumbai. However, the parties have agreed that the evidence of SAR Bhimraja – Managing Director of Respondent shall be recorded at Chennai by the Learned Arbitrator.

(e) The Learned Arbitrator shall endeavour to pass his final Award within a period of six months from today. The Learned Arbitrator shall not grant adjournment/s to the parties unless absolutely necessary.

(f) The cost of arbitration shall initially be borne by the parties equally.

(g) All contentions of the parties are kept open.

2. In view of this order, the above Arbitration Petition is disposed off.

(S.J.KATHAWALLA, J.)