

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

ARBITRATION PETITION NO.90 OF 2018

M.R.Mutha ... Petitioner
versus
Central Railway through the
Deputy Chief Engineer (Construction) ... Respondent

Ms. Triveni Jani I/by Mr. N.K.Sharma and Partners, for Petitioner.
Mr. T.J.Pandian, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 7th DECEMBER, 2018

P.C.:

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

(i) Mr. Amrut Joshi, Advocate is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Work Order dated 24th February, 2010.

(ii) The learned Arbitrator 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 (3 of 2016) on or before 13th December, 2018.

(iii) The parties and/or their Advocates shall appear before the learned Arbitrator in his chambers, on 10th December, 2018 at 5.00 p.m. and obtain necessary

directions.

(iv) The learned Advocate for the Petitioner on instructions states that the claim before the learned Arbitrator shall be restricted to 20% of the Contract Value.

The statement is accepted.

(v) The learned Arbitrator shall endeavour to pass his final Award within a period of six months from the date of this order.

(vi) The learned Arbitrator shall not grant adjournments to the parties unless absolutely necessary.

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

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

(ix) The venue of Arbitration shall be at Mumbai.

(x) The above Arbitration Petition is accordingly disposed of.

(xi) Though the Petition is disposed of, place the same on board to report compliance of clause (ii) above on 13th December, 2018.

(S.J.KATHAWALLA, J.)