

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION APPEAL NO. 34 OF 2018

Neo-Gen Enterprises (JV) ... Appellant
Versus
Divisional Railway Manager, Central Railway ... Respondent

Mr. Ravish A. Mishra instructed by Bijal Rathod for the Appellant.
Mr. T.J. Pandian for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 14th DECEMBER, 2018

P.C.:

1. Heard the Learned Advocates appearing for the parties and the following order is passed, by consent :-
 - i) The impugned order dated 21st August, 2018 passed in Civil M.A. No.442 of 2018 is set aside.
 - ii) Mr. Amrut Joshi, Advocate is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Letter of Acceptance dated 23rd February, 2016 (Exhibit C to the Appeal).
 - iii) The disclosure of Advocate Amrut Joshi 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) is taken on record.
 - iv) (c) The parties and/or their Advocates shall appear before the Learned

Arbitrator in his Chambers on 19th December, 2018 at 10.00 a.m. and obtain necessary directions.

- v) The venue of arbitration shall be at Mumbai.
 - vi) The Petition which was filed before the Sessions Judge by the Learned Arbitrator on or before 5th January, 2019.
 - vii) 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.
 - viii) The cost of arbitration shall initially be borne by the parties equally.
 - ix) All contentions of the parties are kept open.
2. In view of this order, the above Arbitration Appeal is disposed off.

(S.J.KATHAWALLA, J.)