

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

ARBITRATION PETITION (L) NO.71 OF 2018

Kishan Freight Forwarders	...	Petitioner
versus		
Union of India	...	Respondent

Mr. Rohan Cama with Mr. Shanay Shah i/by Mr. Rajesh Gupta, for Petitioner.
Mr. Chetan C. Agrawal, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 22nd JANUARY, 2018

P.C.:

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

(i) Mr. Sarosh Bharucha, Advocate is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Agreement dated 09-03-2015.

(ii) The disclosure of Mr. Sarosh Bharucha, Advocate 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) is taken on record.

(iii) The parties shall appear before the learned Arbitrator in his chambers, on 29th Janaury, 2018 at 05.30 p.m. and obtain necessary directions.

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

(v) Pending the arbitral proceedings and for four weeks thereafter, the impugned order dated 04-01-2018 is stayed to the extent of debarring the Petitioner and cancelling its registration.

(vi) The Petitioner undertakes not to bid for the tender at Exhibit Q to the Petition.

(vii) It is clarified that except as in clause (vi), the Petitioner is entitled to carry on its existing contracts, if any, and bid in future contracts/tenders.

(viii) This order is passed subject to the final outcome of the arbitral proceedings.

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

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

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

(xii) In view of this order, the above Arbitration Petition is disposed of.

(S.J.KATHAWALLA, J.)