

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 354 OF 2018
IN
ARBITRATION APPLICATION NO. 195 OF 2015

**Crest Logistics and Engineers Private Limited,
Formerly known as
Reliance Utility Engineers Ltd. Applicant**

IN THE MATTER OF

**Techtrans Construction India (P) Ltd. &
Ksheeraabd Construction Pvt. Ltd. (JV) Petitioner**

VERSUS

**Crest Logistics and Engineers Private Limited,
Formerly known as
Reliance Utility Engineers Ltd. Respondent**

Mr.Sarosh Bharucha, a/w. Mr.Shrey Fatterpekar, Mr.Kiran Padalkar,
i/b. India Law Alliance for the Applicant/Respondent.

Mr.Anilkumar Patil, a/w. Mr.Sachin Pawar for the Respondent/Org.
Petitioner.

CORAM : R.D. DHANUKA, J.

DATE : 4th MAY, 2018

P.C.

By this notice of motion, the applicant seeks clarification that the arbitral tribunal may decide the the applicant's application filed under section 16 of the Arbitration and Conciliation Act, 1996 without being influenced by the order dated 9th September,2015 passed by this court in Arbitration Application No.195 of 2015.

2. It is clarified that as on the date of the order dated 9th

September, 2015, there was no dispute about the existence of the arbitration agreement between the parties and accordingly this court had directed the nominee arbitrators of both the parties to appoint the presiding arbitrator.

3. Notice of motion is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]