

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM. ARBITRATION PETITION NO. 415 OF 2017

Ramesh Jadhavji Chheda

..... Petitioner

VERSUS

Nimesh Devchand Chheda & Anr.

..... Respondents

Mr.Omar Shaikh, i/b. Vikas Salvi & Associates for the Petitioner.

Mr.Rajesh Khobragade for the Respondents.

CORAM : R.D. DHANUKA, J.

DATE : 11th JANUARY, 2018

P.C.

Learned counsel appearing for the petitioner states that the mandate of the learned arbitrator is terminated in view of the learned arbitrator not having rendered an award within 12 months from the date of hearing.

2. On perusal of the impugned order passed by the learned arbitrator, I am of the view that the observations made by the learned arbitrator are *prima facie* observations on the partnership dispute. The learned arbitrator has already appointed the petitioner as an agent of the private receiver appointed by the learned arbitrator. The petitioner is thus not affected by the impugned order. The learned arbitrator shall decide the main matter and render an award on its own merits without being influenced by the observations made by the learned arbitrator in the impugned order.

3. Commercial arbitration petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]