

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
ARBITRATION APPLICATION NO.91 OF 2017**

Sustainable Agro – Commercial Finance Ltd. ... Applicant  
versus  
Samadhan Ashok Tidake and Ors. ... Respondents

Mr. Yashpal M. Thakur, for Applicant.  
Mr. Ankit Chaturvedi, for Respondent Nos.1 to 4.

**CORAM: S.J. KATHAWALLA, J.  
DATE: 27<sup>th</sup> APRIL, 2018**

**P.C.:**

1. On 26<sup>th</sup> April, 2018 this Court passed the following order :

*“1. Heard the learned Advocates appearing for the parties. Both the parties agree that there exists an arbitration agreement between the parties and the Court may proceed to appoint a Sole Arbitrator to decide the disputes between the Applicant and Respondents arising out of the Loan Agreement dated 11<sup>th</sup> June, 2014. In view thereof, the following order is passed :*

*(i) The Court proposes to appoint Ms. Nelly Mehta, Advocate, as the sole Arbitrator to decide the disputes between the parties arising out of the Loan Agreement dated 11<sup>th</sup> June, 2014.*

*(ii) Ms. Nelly Mehta, Advocate shall submit her 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 27<sup>th</sup> April, 2018.*

*(iii) Stand over to 27<sup>th</sup> April, 2018.”*

2. Pursuant thereto, Ms. Nelly Mehta, Advocate, has filed her 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) which is taken on record. The learned Advocates for the parties state that they have gone through the disclosure and have no objection to the same. In view thereof, the following order is passed :

(i) Ms. Nelly Mehta, Advocate is appointed as the sole Arbitrator to decide the disputes between the Applicant and Respondent arising out of the Loan Agreement dated 11<sup>th</sup> June, 2014.

(ii) The parties shall appear before the learned Arbitrator in her chambers, on 9<sup>th</sup> May, 2018 at 3.00 p.m. and obtain necessary directions.

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

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

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

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

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

(viii) In view of this order, the above Arbitration Application is disposed of.

**( S.J.KATHAWALLA, J. )**