

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 612 OF 2017
IN
ARBITRATION APPLICATION NO. 171 OF 2011

Atul Diwakar Bhalerao

..... Petitioner

VERSUS

Ujjwala Rajshekhar Uzgare & Ors.

..... Respondents

Mr.Sachin Chavan for the Petitioner.

Mr.Prashant Dingrani, i/b. Ms.Aarti Bhide for the Respondent no.1.

CORAM : R.D. DHANUKA, J.

DATE : 19th JANUARY, 2018

P.C.

Pursuant to the order passed by this court, the learned arbitrator Shri Justice M.S.Rane, former Judge of this court has conveyed his inability to visit the residence of the petitioner at Mulund at the time of cross examination of the said witness and has requested to appoint a Court Commissioner for recording evidence on commission.

2. Learned counsel for the parties have no objection if this court appoints a Court Commissioner for recording evidence of the witness.

3. Mrs.Chandan Bhatt, an Officer of this court is appointed as a Court Commissioner for recording evidence of the petitioner (original respondent no.2) at his residence.

4. The fees and expenses of the learned learned Court

Commissioner shall be borne by the petitioner.

5. The parties are directed to co-operate with each other and with the learned Court Commissioner in recording the evidence.

6. Time for recording the evidence shall be fixed by the learned Court Commissioner by mutual consent of both the parties.

7. The learned Court Commissioner shall not grant any unnecessary adjournment to any of the party.

8. The fees and expenses of the learned Court Commissioner shall be quantified after evidence of the petitioner is concluded at his residence.

9. Arbitration petition is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]