

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
ARBITRATION PETITION NO.1013 OF 2018**

L and T Finance Ltd. ... Petitioner
versus
Shree Mangal Motors and Ors. ... Respondents

Mr. Ranabir Datta I/by M/s. Solomon and Co., for Petitioner.
Mr. Mayur Joshi I/by M/s. Joshi Legal Associates, for Respondent Nos.1 and 2.
Mr. Samarth Karmarkar with Ms. Supriyanka Maurya, for Respondent No.3.

**CORAM: S.J. KATHAWALLA, J.
DATE: 11th SEPTEMBER, 2018**

P.C.:

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

(i) Mr. Akshay Patil, Advocate is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Facility Agreement dated 28th March, 2016 read with Supplemental Facility Agreement dated 2nd December, 2016 and the Supplemental Facility Agreement dated 28th February, 2017.

(ii) The disclosure of Mr. Akshay Patil, 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 and/or their Advocates shall appear before the learned Arbitrator in his chambers, on 24th September, 2018 at 5.00 p.m. and obtain necessary

directions.

(iv) The present Petition filed under Section 9 of the Act shall be treated as a Petition under Section 17 of the Act by the learned Arbitrator and shall dispose off the same within a period of four weeks from the date of the first meeting held by him with the parties and their Advocates.

(v) The order dated 10th August, 2018 shall continue until the Petition under Section 17 of the Act is decided by the learned Arbitrator.

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

(vii) The parties agree to follow the procedure prescribed in Section 29B of the Act.

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

(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.)