

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
ARBITRATION APPLICATION NO.129 OF 2017**

Mohamed Umar Abdul Gafoor Khatri ... Applicant
versus
Sarabjit Singh Arora and Ors. ... Respondents

**WITH
ARBITRATION PETITION NO.440 OF 2017**

Mohamed Umar Abdul Gafoor Khatri ... Applicant
versus
Sarabjit Singh Arora and Ors. ... Respondents

Mr. Rohaan Cama with Ms. Soniya Putta, Ms. Jinal Shah i/by Mr. V.S.Bhadkamkar,
for Applicant/Petitioner.

Mr. Sanjay Jain with Ms. Sarika Mehra i/by LJ Law, for Respondents.

CORAM: S.J. KATHAWALLA, J.

DATE: 19th JANUARY, 2018

P.C.:

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

(i) Mr. Nimay Dave, Advocate is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Deed of Partnership dated 14th August, 1984.

(ii) The disclosure of Mr. Nimay Dave, 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 shall appear before the learned Arbitrator in his chambers, on 22nd January, 2018 at 05.30 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 and decided by the learned Arbitrator within a period of 10 weeks from the date of this order.

(v) The learned Arbitrator shall not grant adjournment/s to the parties and/or their Advocates unless absolutely necessary.

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

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

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

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

(x) In view of this order, the above Arbitration Application as well as Arbitration Petition are disposed of.

(S.J.KATHAWALLA, J.)