

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

COMMERCIAL ARBITRATION APPLICATION NO. 133 OF 2017

Babaji Shivram Clearing and Carriers Pvt. Ltd. ... Applicant

Versus

Bharat Heavy Electricals Ltd. ... Respondent

Mr. Naresh Thacker alongwith Ms. Rhia Marshall Banerjee and Ms. Vaishnavi Chillakuru instructed by Economic Law Practice for the Applicant.

Mr. Karan Bhosale alongwith Ms. Vidula Mehrotra instructed by NDB Law for the Respondent.

CORAM : S.J. KATHAWALLA, J.
DATED : 19TH JULY, 2018

P.C.:

1. Perused the detailed Order dated 9th February, 2018, wherein it is inter alia recorded as under :

“(i) The Court proposes to appoint Mr.Zubin Behramkamdin, Advocate as the sole Arbitrator to decide the disputes between the parties arising out of the Work Order dated 22nd November, 2013.

(ii) Mr.Zubin Behramkamdin, Advocate shall submit his 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 (Act No.3 of 2016) on or before 19th July, 2018. ”

2. Accordingly, Mr. Zubin Behramkamdin, Advocate has submitted his 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 (Act No.3 of 2016), which is taken on record.

3. In view thereof, the following Order is passed :
- i. Mr.Zubin Behramkamdin, Advocate is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Work Order dated 22nd November, 2013.
 - ii. The parties and / or their Advocates shall appear before the learned Arbitrator in his chambers, on 21st July, 2018 at 11.00 a.m. and obtain necessary directions.
 - iii. All contentions of the parties are kept open.
 - iv. The cost of arbitration shall initially be borne by the parties equally.
 - v. The venue of Arbitration shall be at Mumbai.
 - vi. The above Arbitration Application is accordingly disposed off.

(S.J.KATHAWALLA, J.)