

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO.666 OF 2017
WITH
CONTEMPT PETITION (L) NO.68 OF 2018**

L and T Finance Ltd.	...	Petitioner
versus		
M/s. O.N.Mukherjee, Sole Prop. Onkarnath Narayan Mukherjee	...	Respondent

Mr. Rohit Gupta with Mr. Bhargav Kosuru I/by M/s. HSA Advocates, for Petitioner.
Mr. Deoul Pathak with Mr. Shashikant Gaikwad I/by SSP Legal, for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 15th OCTOBER, 2018

P.C.:

1. Pursuant to the order dated 12th October, 2018, the Respondent is present in Court. He states that save and except the account disclosed by him in his Affidavit dated 15th October, 2018, he has no other bank account either standing in the name of M/s. O.N.Mukherjee or in his personal name i.e. Onkarnath Narayan Mukherjee. The statement is accepted.

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

(i) Ms. Neeta Jain, Advocate is appointed as the sole Arbitrator to decide the disputes between the parties arising out of the Facility Agreement dated 23rd November, 2015.

(ii) Ms. Neeta Jain, Advocate shall file 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 16th October, 2018.

(iii) The parties and/or their Advocates shall appear before the learned Arbitrator in her chambers, on 19th October, 2018 at 11.00 a.m. and obtain necessary directions and shall also provide copy of her disclosure to the Advocates for the parties.

(iv) The present Petition filed under Section 9 of the Act shall be treated as an Application under Section 17 of the Act and decided by the learned Arbitrator within a period of 8 weeks from today.

(v) Ad-interim order granted by this Court to continue until the learned Arbitrator decides the Application under Section 17 of the Act.

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

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

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

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

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

(xi) In view of this order, the above Arbitration Petition is disposed of. The Contempt Petition (L) No.68 of 2018 also stands disposed of.

(S.J.KATHAWALLA, J.)