

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
ARBITRATION PETITION (L) NO.888 OF 2018**

Naseem Navroj Tejani and Anr.	...	Petitioners
versus		
Meeti Developers Pvt. Ltd. and Anr.	...	Respondents

Mr. Sharan Jagtiani with Mr. Rahul Sarda, Mr. Rihal Kazi, Mr. Guru Shanmugam, Ms. Kalyani Singh i/by M/s. M&M Legal Ventures, for Petitioners.
Mr. Pranesh J. Gada i/by M/s. Dhanuka and Partners for Respondent No.1.
Mr. C. Lobo, for Respondent No.2.

CORAM: S.J. KATHAWALLA, J.

DATE: 20th AUGUST, 2018

P.C.:

1. The learned Advocate appearing for the Petitioner tenders draft amendment and seeks to amend the Petition in terms of the draft amendment. Draft amendment is taken on record and marked 'X' for identification. The Advocate for the Petitioner is allowed to amend the Petition in terms of the draft amendment, marked 'X'. Amendment to be carried out on or before 23rd August, 2018.
2. Heard the learned Advocates for the parties and by consent, the following order is passed :
 - (i) Mr. Piyush Raheja, Advocate is appointed as the sole Arbitrator to decide the disputes between the Petitioners and Respondent No.1 forming the subject matter of the above Petition.

(ii) The disclosure of Mr. Piyush Raheja, 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 27th August, 2018 at 11.00 a.m. and obtain necessary directions.

(iv) The Respondent developer shall file their Affidavit of disclosure in terms of prayer clauses (b) and (c) of the Petition. As far as other reliefs are concerned, the parties shall be at liberty to move the learned Arbitrator seeking ad-interim/interim reliefs and the above 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 at the earliest.

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

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

(vii) All contentions of the parties are kept open, save and except that there is no arbitration agreement between the parties.

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

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

(ix) In view of this order, the above Arbitration Petition is disposed of.

(S.J.KATHAWALLA, J.)

Swaroop
Sharad
Phadke

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by Swaroop
Sharad Phadke
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2018.08.23
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