

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO.918 OF 2018**

Shrushti Raj Enterprises (India) Ltd. ... Petitioner
versus
Tilak Siddheshwar Co-op. Hsg. Soc. Ltd. ... Respondent

Mr. Zubin Behramkamdin with Ms. Jennifer Michael i/by Ms. Alisha Pinto, for
Petitioner.

Mr. Ganesh Dalvi, for Respondent.

Mr. Stanley Lobo (Secretary) and Mr. Suresh Davare Committe Member of
Respondent, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 29th AUGUST, 2018

P.C.:

1. The learned Advocate for the Respondent undertakes to file Vakalatnama
within one week from today. The undertaking is accepted.

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

(i) Mr. Rashmin Khandekar, Advocate is appointed as the sole Arbitrator
to decide the disputes between the parties arising out of the Development Agreement
dated 5th September, 2007.

(ii) The disclosure of Mr. Rashmin Khandekar, 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 1st September, 2018 at 11.00 a.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 within a period of four weeks from today.

(v) The order dated 16th August, 2018 shall continue until the learned Arbitrator decide the Application/Petition under Section 17 of the Act.

(vi) The learned Arbitrator shall endeavour to pass his 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.

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

(S.J.KATHAWALLA, J.)