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

COMM. ARBITRATION APPLICATION (LDG.) NO.291 OF 2018

Yogesh P. Visaria & Anr.	...Applicants
V/s.	
Rajlaxmi Developers & Ors.	...Respondents

Mr.Sanjay Jain with Mr.Suyash Gadre and Mr.Chetan Mhate I/b M/s.Utangale & Co. for the Applicants.

Mr.Ashish Suryavanshi for the Respondent Nos.2, 3 and 6.

Mr.Atul Kshatriya I/b Markand Gandhi & Co. for the Respondent Nos.4 and 5.

Ms.Deepti Panda with Mr.Ramchandran Narayanan and Mr.Tejas Shah I/b Narayanan & Narayanan for the Respondent No.7.

Mr.Rakesh Agarwal for the Respondent Nos.10 to 12.

Mr.Astad Randheria with Ms.Nandini Joshi and Ms.Vrushali Kabare I/b Harish Joshi & Co. for the Respondent No.13.

CORAM : R.D. DHANUKA, J.
DATE : 26TH SEPTEMBER, 2018.

P.C. :-

1. All the respondents are served.
2. By consent of parties who are present through their counsel, the following order is passed :-
 - a). The parties have no objection if the legal heirs of Mr.Parshuram Shinde who are the respondent nos.8 to 13 to this arbitration application are also allowed to be impleaded in the ongoing arbitral proceedings before the learned Arbitrator Mr.Shailesh

Shah, a senior counsel of this Court.

b). The reference however, shall be treated as a fresh reference between the parties before the learned Arbitrator. However, all the parties who are already parties to the ongoing arbitral proceedings would be allowed to rely upon their respective pleadings and documents already filed before the learned Arbitrator. The respondent nos.8 to 13 are allowed to be impleaded as the respondent nos.8 to 13 in the said proceedings.

c). The respondent nos.8 to 13 are permitted to file the written statement within four weeks from the date of service of the papers and proceedings and shall serve a copy thereof upon the applicants' advocate simultaneously. It is made clear that no further extension of time would be granted.

d). The time to complete the arbitral proceedings for the purpose of section 29-A of the Arbitration & Conciliation proceedings would be commenced from the date of the learned Arbitrator accepting his appointment for the fresh reference.

e). All the interim orders in force in the ongoing arbitration shall be continued in the fresh reference until vacated.

3. The commercial arbitration application is disposed of in aforesaid. There shall be no order as to costs.

Vasant
Anandrao Idhol

Digitally signed by Vasant
Anandrao Idhol
Date: 2018.09.27 18:25:17 +0530

(R.D. DHANUKA, J.)