

Santosh

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM ARBITRATION APPLICATION (L) NO.303 OF 2018**

Cinepolis India Pvt. Ltd. ...Applicant

Versus

Larsen and Toubro Seawoods Pvt. Ltd. ...Respondent

Mr. Shailesh Naidu, Senior Counsel, a/w Malcolm Siganporia, Ms. Aziza Khatri, Ms. Sonali Naik & Shivam Bhagwati, for the Applicant.

Mr. Sharan Jagtiani, Senior Counsel, a/w Ms. Monisha Mane – Bhangale, Mr. Warish Parkar, i/b Juris Corp., for the Respondent.

CORAM: G. S. KULKARNI, J.

DATED: 26th November, 2018.

PC:-

1. This application under Section 11(6) of the Arbitration and Conciliation Act, 1996 seeks to appoint an Arbitrator to adjudicate the disputes and differences which have arisen between the parties under Memorandum of Understanding dated 14th November, 2013 (Exhibit A page 19 of the paper-book.)

2. After the petition was heard for sometime, the learned Counsel for the parties are agreeable for appointment of a learned Arbitrator. Application is accordingly disposed of by the following order.

: O r d e r :

(a) Mr. Justice Anand V. Nirgude (Retd) is appointed as a Sole Arbitrator to adjudicate the dispute between the parties arising under

(b) The learned proposed Arbitrator fifteen days before entering the arbitration reference shall make a disclosure as per Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996 which be forwarded to Prothonotary and Senior Master to be placed on record of the this Court. Similarly copy of the disclosure also be forwarded to the parties.

(c) All contentions of the parties on merits of the matter are expressly kept open.

2. The Arbitration Application is disposed of in the above terms. No costs.

3. Office to forward a copy of this order Mr. Justice Anand V. Nirgude (Retd).

[G. S. KULKARNI, J.]

corrected as per speaking to the minutes order dated 29 November 2018.