

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

ARBITRATION PETITION NO.537 OF 2018

Yaminee D. Manjrekar And Others	...	Petitioners
Versus		
Kotak Mahindra Prime Ltd.	...	Respondent

.....

Mr. Keshav B. Borhade for the Petitioners.
Ms. Ranjita Shinde i/b Mr. Jitendra G. Shukla for the Respondent.

.....

CORAM : S.C. GUPTE, J.

DATE : 21 SEPTEMBER 2018

P.C. :

. Heard learned Counsel for the parties.

2 The Petitioners challenge an award passed by a Sole Arbitrator in an Arbitration Reference concerning dues purportedly owed by the Petitioners to the Respondent herein. One of the main grounds of challenge is that the impugned award was passed *ex parte* without service of the proceedings on the Petitioners.

3 After the matter was heard at some length, it has been agreed by learned Counsel for both parties that the impugned award may be set aside and the matter may go back to the sole arbitrator, who heard the reference. Accordingly, the impugned award dated 26 September 2015 is quashed and set aside and the arbitration reference is sent back to the sole

arbitrator for a fresh hearing in accordance with law. The Respondent herein (original claimant in the arbitration reference) shall supply a complete set of papers and proceedings in the arbitration reference including documents relied upon by the claimant before the sole arbitrator, to the Petitioners herein.

(S.C. GUPTE, J.)

Rajesh
Vasant
Chittewan

Digitally signed
by Rajesh
Vasant
Chittewan
Date:
2018.09.26
15:56:00 +0530