

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

**COMPANY PETITION NO. 783 OF 2016
WITH
COMPANY APPLICATION NO. 113 OF 2017
IN
COMPANY PETITION NO. 783 OF 2016**

M/s. Bharat Polymers through
its Sole Proprietor Bharat V. Relan .. Petitioner

Vs.
Monotoma Tyres Limited .. Defendant

Mr.Mayur Khandeparkar a/w. Ms.Siddhi Vora I/b Nityoah Suneel and Associates for petitioner.

Mr.Ashish Kamat a/w. Mr.Kunal Mehta and Mr.H. Pradhan I/b Crawford Bayley and Co. for respondent.

Mr.Bharat V. Relan, Proprietor of petitioner present.

Mr.Satyandeo Mishra, authorized signatory of respondent present.

CORAM : K.R.SHRIRAM, J.

DATE : 28TH JUNE 2018

P.C.

1 Without prejudice to parties rights and contentions, parties have entered into consent minutes of order dated 28th June 2018 whereby parties have agreed to refer their disputes which is the subject matter of this petition to arbitration and have appointed one Shri Piyush Raheja, an advocate practicing in this Court to arbitrate on all disputes which is the subject matter of this petition and the Summary Suit bearing No.642 of 2016 pending in the City Civil Court at Dindoshi, Mumbai including

counterclaim, if any.

2 The consent Minutes of order dated 28th June 2018 signed by petitioner-Shri Bharat V. Relan and the authorized signatory of respondent-company is taken on record and marked 'X' for identification.

3 Shri Piyush Raheja is, therefore, appointed as Sole Arbitrator in the matter. The fees of the Arbitrator, administrative expenses, typing charges, venue expenses, if any, to be shared equally between the parties and the same will be costs in the arbitration proceedings.

4 Within one week of receiving a communication from either advocate for petitioner or the advocate for respondent, the arbitrator to submit a disclosure in writing as required under Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996 directly to the Advocate of petitioner and respondent.

5 Since the company petition is at pre-admission stage, petition stands disposed.

Company application also accordingly stands disposed.

6 Shri Khandeparkar for respondent No.2 states that within two weeks

from today, petitioner will also withdraw the summary suit filed in City Civil Court at Dindoshi, Mumbai. Statement accepted.

(K.R. SHRIRAM, J.)