

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

COMPANY PETITION NO.355 OF 2016

Ambey Mining Private Limited Petitioner

Vs.

B L A Industries Private Limited ...Respondent

Mr. Abhijeet A. Desai for petitioner.

Mr. Pankaj Sawant, senior advocate a/w. Ms. A.A. Mujawar i/b. Economic Laws Practice for respondent.

CORAM : K.R.SHRIRAM, J.

DATE : 13th FEBRUARY, 2018

PC.:

1 After the petition was heard for some time, Mr. Desai, counsel for petitioner, on instructions and Mr. Sawant, counsel for respondent agree that the underlying dispute in the petition be referred to arbitration to a Sole Arbitrator. Counsel leave it to the Court to appoint an Arbitrator and on the suggestion of the Court, agree to the appointment of Mr. Piyush Raheja, an Advocate practicing in this Court as Sole Arbitrator.

2 Therefore, the following order is passed :

(a) Mr. Piyush Raheja, an Advocate having his office at 302, B-Wing, Fort Chamber, above Stock Exchange Post Office, Homi Modi, 2nd Cross Lane, Off Hamam Street, Fort, Mumbai – 400 001 (Mobile No.9833385090) is appointed as Arbitrator to decide on disputes arising out of and in connection with and relating to Work Order bearing reference no.05/GDW/NGP/11-12/2406 dated 2nd May, 2011 including counter claim, if any;

(b) The fees and administrative expenses of the Arbitrator including typing charges to be shared equally between the parties and the same will be costs in the

arbitral proceedings;

(c) Within two weeks of receiving copy of this order, either from the counsel for petitioner or the counsel for respondent, Mr. Raheja to give disclosure in writing directly to the parties as required under Section 11 (8) read with Section 12 (1) of the Arbitration and Conciliation Act, 1996;

(d) All rights and contentions of the parties are kept open excluding right to challenge the constitution of the Arbitral Tribunal. Of course, arbitrability of certain disputes can be raised.

(e) Petition stands dismissed as withdrawn.

(K.R. SHRIRAM, J.)