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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
IN ITS COMMERCIAL DIVISION

COMM. ARBNITRATION PETITION (L) NO. 74 OF 2019

Vikas Madan Jagasia & Anr. ...Petitioners
vs
Pankaj Shyam Chawla ...Respondent.

.....

Mr Jignesh Shah for the Petitioners.
Mr Rajesh Mirchandani for the Respondent.

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CORAM : B.P.COLABAWALLA, J.
MARCH 06, 2019.

P.C. :

This Motion has been filed under Section 27 of the Arbitration and Conciliation Act, 1996 (for short “**the Act**”) seeking assistance of this Court in taking evidence. The Arbitral Tribunal has passed an order vide its Minutes of Meeting held on 9th January, 2019 and permitted the Claimants/ Petitioners to approach this Court under Section 27 of the Act. It is in these circumstances that this Petition is filed seeking a direction for re-issuance of the witness summons upon Mr. R.V.Kakade, as well as upon Mr Salim Yusuf Khan, as more particularly described in prayer clauses (a) and (b) of the Petition.

2 I am informed that Mr R.V. Kakade will be available to give the evidence on 27th April, 2019 and Mr Salim Yusuf Khan will

be available to give evidence on 4th April, 2019.

3 In these circumstances, the office is directed to issue the witness summons upon Mr Salim Yusuf Khan, Assistant Police Inspector, Wadala T.T. Police Station, Near Wadala R.T.O., Wadala (E), Mumbai 400 037 returnable on 4th April, 2019. The witness summons shall state that the said Mr Salim Yusuf Khan should be present before the Arbitral Tribunal on 4th April, 2019 for the purpose of giving evidence.

4 Similarly, the office is directed to issue the witness summons upon Mr R.V. Kakade, Chief State Examiner of Documents, State CID, Pashan Road, Vidyapeeth Chowk, Pune, Shivajinagar, Pune-411 008 returnable on 27th April, 2019. The witness summons shall state that Mr R.V. Kakade shall remain present before the Arbitral Tribunal on 27th April, 2019 for giving evidence.

5 The Arbitration Petition is disposed of in the aforesaid terms. No order as to costs.

(B.P.COLABAWALLA, J.)