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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATINO PETITION NO. 960 OF 2019**

Sohansingh Jagatsingh Dhami	...Petitioner
<i>Versus</i>	
KG Munshi & Anr	...Respondents

Mr GS Godbole, *with Gautam Ankhad, i/b Sukand R Kulkarni, for the Petitioner.*
Mrs Bhavna A Anklesaria, *for the Respondents.*

CORAM: G.S. PATEL, J.
DATED: 12th December 2019

PC:-

1. On instructions from the Petitioner, Mr Ankhad seeks leave to withdraw the Arbitration Petition.

2. However, having heard Mr Godbole and Mr Ankhad at some length and Ms Anklesaria as well, and having seen some records of the arbitral proceedings, I believe some directions are necessary to ensure that the arbitral proceedings continue smoothly and without needless interruption or delay.

3. There are two references to arbitration. Both relate to partnership firms. One reference is in regard to the firm called Shalimar Auto Services and the other reference is in regard to the

firm called Jagatsingh & Sons. It is the second that has reached the stage of final hearing.

4. The parties had agreed before the learned Sole Arbitrator that the Shalimar Auto Services arbitration would be taken up after the completion of the Jagatsingh & Sons arbitration.

5. The final hearing in Jagatsingh & Sons is scheduled from 17th December 2019 to 20th December 2019 for the Claimant's arguments by Ms Anklesaria and on 23rd and 24th December 2019 (fully day) for the arguments of Mr Ankhad's clients.

6. Before me today both sides agree that they will complete their respective arguments within that period. I will request the learned Sole Arbitrator to fix one further or additional date of mutual convenience when both sides can address any questions that the Arbitrator may have, and during which he can also hear briefly the rejoinder to the extent necessary. That rejoinder will not extend to a re-argument but will be confined to such matters as are permissible in a rejoinder.

7. Both sides state that they wish to file written submissions before the learned Sole Arbitrator and I will immediately permit this, provided that the written submissions are concise and an accurate reflection of what is argued before the learned Sole Arbitrator. These written submissions must be filed before the Arbitrator no later than by 14th February 2020. They must be signed by arguing counsel, and they will contain at the end that the

written submissions are an accurate record of what was argued, and only of what was argued.

8. Having regard to the amount of evidence that has evidently been led or sought to be led before the Arbitrator, I will exercise my powers and extend time for completing the arbitration till 12th June 2020.

9. It is understood between the parties that as previously agreed between them before the learned Sole Arbitrator, the Shalimar Auto Service arbitration will commence only after the award is published and pronounced (within the time indicated above) by the learned Sole Arbitrator. In that remaining arbitration, parties will cooperate fully with the learned Sole Arbitrator and will not seek adjournments.

10. This schedule that I have set is also not to be altered except by consent and only in case of absolute emergency.

11. This order, to some extent, addresses Ms Anklesaria's anxieties that the arbitration are being unduly prolonged and delayed. She accepts that a schedule like this will serve her clients' purpose and, therefore, she readily waives the unpaid amount of costs of Rs. 1 lakh imposed that are as yet due. She confirms that the Petitioner has paid all other costs imposed.

12. The Arbitration Petition is disposed of as withdrawn in these terms. There will be no order as to costs.

13. An ordinary copy of this order will be forwarded by Ms Anklesaria to the learned Sole Arbitrator at the earliest.

(G. S. PATEL, J)