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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.449 OF 2018

Tata Motors Ltd.

...Petitioner

vs

Banarasi Dass Automobiles Ltd.

...Respondent

.....

Mr. Vaibhav Charalwar, i/b. Mr. Mahesh Mahale, for the Petitioner.

Mr. Ajay Basutkar, a/w. Ms. Flavia Fernandes, i/b. Mr. Lalit Jain, for the Respondent.

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CORAM : S.C. GUPTE, J.

DATED: 29 AUGUST 2019

P.C. :

. Heard learned Counsel for the parties.

2. The petition is admitted and taken up for hearing by consent of parties.

3. After the matter is heard at some length, it is agreed between learned Counsel for the parties that the impugned award dated 14 February 2018 may be quashed and set aside and the reference be made to a new arbitrator. Accordingly, the award is quashed and set aside and the disputes between the parties are referred to Mr. Saket Mone, Advocate, for a fresh hearing in accordance with law, subject to his consent and disclosure.

4. It is made clear that the Petitioner herein waives the objection concerning service of notice under Section 21 of the Arbitration and Conciliation Act, 1996. All other issues are kept open.

Smita
Gonsalves

Digitally signed by
Smita Gonsalves
Date: 2019.09.06
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(S.C. GUPTE, J.)