

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

COMM. ARBITRATION PETITION (L) NO.725 OF 2019

Ashwani Khairatilalldham & Ors.)....Petitioners

V/s.

M/s.Shreem Corporation)....Respondents

Mr.M.B.Kale i/by Nayan Deepak Chipade for petitioners.
[Mr.Lognathan Satish Mudaliar-petitioner no.2 present in Court].
Mr.Piyush Raheja i/by Dushyant S.Lilani for respondents.

CORAM : K.R.SHRIRAM,J
DATE : 23.8.2019

P.C.:-

1. Admittedly, petitioners have given notice invoking the arbitration on 1.4.2019 and in reply, respondents have by their letter dated 26.4.2019 agreed for reference of the dispute to Arbitration of a sole Arbitrator, though denying liability.

2. By consent, Mr.Justice R.G.Ketkar (retired) former Judge of this Court is appointed as a sole Arbitrator to arbitrate on all disputes arising out of or in connection with or relating to agreement dated 22.4.2010 read with termination notice dated 14.6.2019 and Counter claim if any. The fees and expenses of the Arbitrator shall be paid by

petitioners and respondents in equal proportion i.e., 50 : 50 and the same shall be costs in the arbitral proceedings.

3. Arbitrator to make disclosure in writing as required under Section 11(8) read with 12(1) of Arbitration and Conciliation Act 1996 directly to the parties.

4. Petition filed be converted into an application under Section 17 of the Arbitration & Conciliation Act 1996. All rights and contentions of parties are kept open and this Court has not made any observation on the merits of the rival claims.

5. All to act on authenticated copy of this order.

(K.R.SHRIRAM,J)