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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 143 OF 2017**

Harasiddh Corporation

...Applicant

Versus

Ravi Raghunath Khanjode & Ors

...Respondents

WITH

ARBITRATION PETITION NO. 425 OF 2017

WITH

NOTICE OF MOTION NO. 1279 OF 2017

IN

ARBITRATION PETITION NO. 425 OF 2017

Ms S Taly, with Mallika Taly and Raj R, i/b S Mahomedbhai & Co,
for the Petitioner.

Ms Shabana Sothe, for Respondents Nos. 1 to 18.

Mr Anoop Patil, for Respondent No. 18 in Arbitration Petition No. 425
of 2017.

CORAM: G.S. PATEL, J.

DATED: 7th November 2019

PC:-

1. Respondents Nos. 1 to 17 are the owners of the immovable property at Malad (East) described in paragraph 2 of the Petition. The petitioner had an Agreement dated 11th August 2010 with the

owners for the development of this property. There are disputes and differences between the applicant in this Application under Section 11 of the Arbitration and Conciliation Act 1996 and the owners, respondents Nos. 1 to 17. Those owners have since entered into an Agreement with Respondent No. 18 under a separate Agreement on 25th November 2014.

2. Ms Sothe appears for all the respondents and she has instructions to state that the disputes in their entirety between the petitioner on one hand and all the respondents on the other may be referred to the arbitration of a sole arbitrator appointed by this court.

3. Parties are also agreed on the appointment of Mr Pradeep Sancheti, learned Senior Advocate of this Court, as a sole arbitrator. He is therefore accordingly appointed as the sole arbitrator.

4. A copy of this order will be communicated to him by the Advocates for the Applicant within one week from today of the order being uploaded.

5. The learned Sole Arbitrator is requested to forward his statement of disclosure under Section 11(8) read with Section 12(1) of the Arbitration Act to the Prothonotary and Senior Master of this Court, referencing this arbitration application, sufficiently in advance of entering upon the reference. That statement will be retained on the file of this application. Copies will be given to both sides.

6. All contentions are left open.
7. There is a pending petition under Section 9 of the Arbitration and Conciliation Act 1996 in which interim orders have been passed. Liberty to the petitioner to present that petition as an application for interim relief under Section 17 of the Arbitration and Conciliation Act. The Section 9 petition is also disposed of in these terms.
8. Pending the disposal of the Section 17 Application, the previous ad-interim and interim orders passed by this Court on the Section 9 Petition will continue.
9. Liberty to both sides to apply for further interim reliefs as also for medication or vacating of reliefs previously granted.
10. The Arbitration Petition and Arbitration Application are disposed of in these terms. No costs.
11. Notice of Motion No. 1279 of 2017 is infructuous, does not survive and is disposed of accordingly.

(G. S. PATEL, J)