

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO 1403 OF 2019**

Nikhil S/o Maganlal Kanakia

...Petitioner

Versus

Navin Cardoz & Anr.

...Respondents

**Mr Ashok Saraogi, with Mr Anand Mishra, for the Petitioner.
Mr Vishal Kanade, for the Respondent.**

**CORAM: G.S. PATEL, J.
DATED: 4th December 2019**

PC:-

1. After some arguments Mr Saraogi seeks leave to withdraw the petition, which is accordingly dismissed as withdrawn. All contentions are left open.
2. Mr Saraogi points out that the petitioner has already invoked arbitration and has in fact filed his statement of claim before the learned sole arbitrator.
3. Mr Kanade on the other hand for the respondents does not accept either the appointment of the arbitrator or even the existence of an arbitration agreement. He maintains that there is no arbitration

agreement signed by the petitioner at all. These contentions are also left open.

(G. S. PATEL, J)