

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

ARBITRATION PETITION NO.1174 OF 2010

M.G. Construction Company	...	Petitioner
Versus		
Punjab & Maharashtra Co-operative Bank Ltd.		
And Another	...	Respondent

.....

Mr. Manjit Singh Anand, Partner of the Petitioner present in person.
Mr. N.N. Bhadrashete for Respondent No.1.

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CORAM : S.C. GUPTE, J.

DATE : 25 JANUARY 2019

P. C. :

. The arbitration petition challenges an award passed on Respondent No.1-bank's claim against the Petitioner. The Petitioner does not accept the correctness of the claim or that the claim awarded was in fact what was prayed for before the arbitral forum. Without going into these aspects and leaving all rights and contentions of the parties on these matters open, by consent, the impugned award dated 12 September 2009 is set aside and the reference is remanded to the sole arbitration of **Mr. Jagdish N. Shanbhag**, Retired Principal District & Sessions Judge, who has been appointed as Arbitrator as per the order sated 16 February 2016 and 24 July 2018 issued by Commissioner for Co-operation and Registrar of Co-operative Societies, to arbitrate the disputes of recovery of Respondent No.1-bank. The arbitrator shall hear the reference afresh and in accordance with law. All rights and contentions of the parties on merit are kept open.

2 The Arbitration Petition is disposed of in above terms. There shall be no order as to costs.

(S.C. GUPTE, J.)