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

IN ITS COMMERCIAL DIVISION

COMM ARBITRATION PETITION (L) NO. 1470 OF 2018

L & T Finance Ltd	...Petitioner
<i>Versus</i>	
Royal Mewat Auto Line & Anr	...Respondents

Mr Karl Tamboly, *with Mr A Patil, i/b AVP Partners, for the
Petitioner.*

CORAM: G.S. PATEL, J
DATED: 13th February 2019

PC:-

1. The Registry report shows that the notice was delivered on 5th February 2019 on the Respondents.
2. None appears for the Respondents.
3. The Petition is under Section 9 of the Arbitration and Conciliation Act 1996. It is placed before me since the Regular Bench cannot take it. I have previously passed an order of 22nd January 2019 briefly summarising the facts. In that order, I granted

ad-interim reliefs in terms of prayer clauses (b) and (c) and directed the issue of the notice.

4. In view of the non-responsiveness of the Respondents, the Petition under Section 9 of the Arbitration and Conciliation Act will stand disposed of by an order in terms of prayer clauses (a), (b), (c), (d) and (e).

5. As regards prayer clauses (f), (g) and (h), the Petitioner is at liberty to move the learned sole Arbitrator. Mr Tamboly for the Petitioner confirms that arbitration has been invoked and an Arbitrator has been nominated. Further liberty to the Petitioner to apply to Court separately at a later stage if necessary, seeing the assistance of the Court *inter alia* in a fresh Petition under Section 9 for the appointment of a Court Receiver.

6. I am making it clear that this order is not to be construed as a rejection of that relief. The only reason not to appoint the Receiver is that there is as yet no complete disclosure by the Respondents who have not even cared to remain present or engage Advocates on their behalf.

7. The Petition is disposed of in these terms.

8. The disclosures noted above are to be made within a period of three weeks from today. In default, in addition to the order of injunction continuing to operate against all properties of the Respondents that are known to the Petitioner, the Petitioner will

also be entitled to apply to the Court or to renew an application in this very Petition for a Receiver of such properties.

(G. S. PATEL, J)