

psv

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

ARBITRATION PETITION NO.1383 OF 2018

Manoj Kumar	..Petitioner
Vs.	
Rakeysh Omprakash Mehra & Anr.	..Respondents

Mr.B.Gopalakrishnan with Ms.Akshaya Puthran, Mr.Reuben Mascreen,
and Mr.Nilesh Ghadge i/b.S.K. Singhi & Co. for Petitioner.
Mr.Dharam Jumanani with Mr.Harsh Gokhale i/b.DSK Legal for
Respondent Nos.1 and 2.

CORAM : G.S. KULKARNI, J.

DATE : 23rd JANUARY, 2019

P.C.:

Heard learned Counsel for the petitioner and learned Counsel for the respondents.

2. This is a petition under Section 9 of the Arbitration and Conciliation Act, 1996 (for short, "the ACA"). After this petition was heard for sometime, learned Counsel for the parties are agreeable that the disputes and differences between the parties arising under the agreement dated 21 April 2015, be adjudicated by appointing a sole arbitrator.

3. In view of the above consensus, the petition is disposed of in the following terms:-

ORDER

- (i) Mr.Cyrus Ardeshir, Advocate, is appointed as a sole Arbitrator to arbitrate the disputes and differences between the parties under the Agreement dated 21 April 2015.
- (ii) The learned prospective arbitrator, ten days before entering the arbitration reference, shall forward a statement of disclosure as per the requirement of Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996, to the Prothonotary & Senior Master of this Court, to be placed on record of this application with a copy to be forwarded to both the parties;
- (iii) This petition under Section 9 of the ACA shall be treated as an application under Section 17 of the ACA by the arbitral tribunal.
- (iv) Office to forward a copy of this order to the learned Arbitrator.
- (v) All contentions of the parties on merits of the disputes including the application under Section 17 of the ACA are expressly kept open.
- (vi) The parties at the first instance shall appear before the learned sole arbitrator on 30 January 2019 at a mutually convenient time as may be fixed by the arbitrator.
- (vii) The application is disposed of in the above terms. No costs.

[G.S. KULKARNI, J.]