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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.**

ARBITRATION PETITION NO. 46 OF 2019
IN
ARBITRATION APPLICATION NO. 208 OF 2015

Sunita R. Patel & Ors. ...Petitioners
vs
M/s Urja Developers & Ors. ...Respondents

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Mr Nitin G. Raut I/b P. VAS & Co. for the Petitioner.
Ms Sayalee Nimkar a/w Swapna Roopavate I/b Tushar Goradia for
Respondent No.4.
Mr Chaitanya Sanjay Patel I/b L.J.Law for Respondent Nos.1,2 and 3.

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**CORAM : B.P.COLABAWALLA, J.
FEBRUARY 25, 2019.**

P.C. :

This Arbitration Petition was filed under Section 29A of the Arbitration and Conciliation Act, 1996 (for short “the Act”) seeking an extension of time to complete the arbitral proceedings and pass a final award.

2 When this matter came up on the last occasion (18th February, 2019), the advocates appearing on behalf of Respondent Nos.1 to 3 as well as Respondent No.4 stated before me that they had no objection for the time being extended, but they submitted that a

new Arbitrator be appointed in view of the fact that the earlier Arbitrator had not been able to complete the arbitration proceedings due to health reasons.

3 In these circumstances, the advocate for the Petitioner had fairly stated that the Petitioners have no objection if the new Arbitrator is appointed. Thereafter, the parties agreed that in place of the earlier Arbitrator, Mr Aseem Naphade, advocate of this Court, be appointed as a new Arbitrator. It was accordingly so ordered, and the matter was kept today in order to enable the Petitioner to file the disclosure statement of the newly appointed Arbitrator as contemplated under Section 11(8) read with Section 11(2) of the Act.

4 Today the disclosure statement of the newly appointed Arbitrator has been tendered across the bar. Learned advocates appearing on behalf of all the Respondents have no objection to the disclosure made by the newly appointed Arbitrator. The said disclosure statement is taken on record and marked "X" for identification. The Arbitration Petition is disposed of accordingly. No order as to costs.

5 Needless to clarify that the newly appointed Arbitrator

shall continue with the arbitration proceedings from the stage on which they were before the earlier Arbitrator.

(B.P.COLABAWALLA, J.)