

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9841 OF 2016

Simplex Infrastructures Ltd. & Anr.] Petitioners

Versus

Micro & Small Enterprises Facilitation]
Council, Kokan Division & Ors.] Respondents

Mr. Abhishek Bhaduri, Advocate for the Petitioners.

Mr. Y.S. Khochare, AGP for Respondent No.1.

Mr. Nigel Quraishy a/w Ms. Sonal Kotak, Advocate for Respondent Nos.2, 3 and 5.

**CORAM : K.K. TATED &
SARANG V. KOTWAL, JJ.**

DATE : 17th JANUARY, 2020.

PC.

. Heard learned counsel for the parties.

2. Learned counsel Mr. Abhishek Bhaduri submits that he already filed his vakalatnama on behalf of petitioners. Statement is accepted.

3. Learned counsel Mr. Nigel Quraishy appearing on behalf of Respondent Nos.2, 3 and 5 submits that, before this Court, learned counsel appearing on behalf of petitioners on 19/12/2019 made a statement that they will clear fees of Arbitrator within 15 days as per Arbitrators' e-mail dated 05/09/2019. He submits that he received

instructions from Arbitrator that till today fees is not paid to the Arbitrator. Considering this submissions following order is passed.

ORDER

(a) Petitioner to comply the order dated 19/12/2019 on or before 31/01/2020 that is payment of Arbitrator fees and place on record proof therewith failing which petition shall stands dismissed without referring back to the Court.

(b) If Arbitrators' fee is paid within time, matter to appear on board on 05/02/2020 for hearing.

(SARANG V. KOTWAL, J.)

(K.K. TATED, J.)