

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO.8 OF 2021**

Vinay Kantilal Mehta and Ors.Petitioners

V/s.

Ashwin Kantilal Mehta and Ors.Respondents

Mr. Gautam Ankhad a/w. Mr. Anirudh Hariani, Mr. Bhavik Mehta, Ms. Shivangi Agarwal and Ms. Prakruti Joshi i/b. M/s. Dhruve Liladhar and Co. for petitioners.

Mr. Abhay Dhadiwal a/w. Mr. Priyank Daga i/b. Jayakar and Partners for respondents nos.1 to 6 and 8.

**CORAM : K.R.SHRIRAM, J.
DATED : 23rd FEBRUARY 2021**

P.C. :

1 Counsel for respondent nos.1 to 6 and 8 has filed a praceipe dated 16th February 2021 with copy to the other side stating that Mr. Pankaj Savant, who was appointed as sole Arbitrator pursuant to order dated 21st December 2020, has expressed his inability to arbitrate on the disputes between the parties. Respondents have suggested certain alternative names which were not acceptable to petitioners and the names suggested by petitioners were also not acceptable to respondents. Both Mr. Ankhad and Mr. Dhadiwal left it to the Court to appoint the substitute Arbitrator. When the Court suggested the name of Mr. Justice Manoj Sanklecha (retired), a former Judge of this Court, both Mr. Ankhad and Mr. Dhadiwal immediately agreed.

2 Therefore, Mr. Justice Manoj Sanklecha (retired) is appointed as sole Arbitrator in place of Mr. Pankaj Savant. To that extent, by consent, the

consent minutes of the order dated 21st December 2020, which was taken on record on 21st December 2020, is modified.

3 Both counsel undertake not to raise any objection on the appointment of Mr. Justice Manoj Sanklecha (retired) at any stage. Statements accepted as undertakings to this Court by their respective clients.

4 Praceipe accordingly disposed.

(K.R. SHRIRAM, J.)