

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO. 1299 OF 2019**

Tasty Korner

...Petitioner

Versus

Merwan's Confectioners Pvt Ltd

...Respondent

WITH

ARBITRATION PETITION (L) NO. 1300 OF 2019

WITH

ARBITRATION PETITION (L) NO. 1301 OF 2019

WITH

ARBITRATION PETITION (L) NO. 1302 OF 2019

WITH

ARBITRATION PETITION (L) NO. 1304 OF 2019

Ms Anita Castellino, i/b Kartik Aiyer, for the Petitioner in all matters.

Mr Adavit M Sethna, with TM Mandot, for the Respondent in all matters.

CORAM: G.S. PATEL, J.

DATED: 6th January 2020

PC:-

1. The disputes between the parties in all these matters have already by an order of 11th November 2019 been referred to the sole arbitration of Mr FE De'Vitre, learned Senior Advocate of this

Court. The present Section 9 Petitions were not on board at that time. Parties now agree that the present Section 9 Petitions may be treated as Applications under Section 17 before the learned sole arbitrator. So ordered.

2. To save time, I will set out the schedule for filing of Replies and Rejoinders in this order. Affidavits in Reply in all Section 17 applications (viz., the present Section 9 Petitions) will be filed and served before the learned Sole Arbitrator on or before 24th January 2020. Affidavit in Rejoinder, if any, will be filed and served on or before 31st January 2020. The Affidavits in Rejoinder will not introduce any new material. Both sides agree that no further Affidavits will be filed thereafter.

3. The learned sole arbitrator is requested to endeavour to dispose of the Section 17 Applications at his earliest convenience, and, if possible, by the end of February 2020. This is only a request.

4. It goes without saying that the Petitioners are at liberty to make an application for ad-interim reliefs before the learned sole arbitrator. It also goes without saying that Section 17 Application cannot be disposed of or even taken up unless a statement of claim has filed to begin with.

5. The Arbitration Petitions are disposed of in these terms. No costs.

(G. S. PATEL, J)