

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

ARBITRATION PETITION NO.162 OF 2019

ALONG WITH

INTERIM APPLICATION (STAMP) NO.3633 OF 2021

AND

ARBITRATION PETITION NO.20 OF 2020

Kirloskar Pneumatic Company Ltd.

.. Petitioner-Applicant

Vs.

John Energy Ltd.

.. Respondent

Ms. Niyati Shah, with Mr. Abhishek Chitnis, for the Petitioner-Applicant.

Mr. Yagnesh Vyas, with Mr. Parth Choudhary, for the Respondent.

CORAM : A. K. MENON, J.

DATED : 2ND MARCH 2021.

P.C. :

1. These two petitions seek reference of disputes to a Sole Arbitrator. Parties have today agreed that a single reference may be made in respect of the disputes in view of the fact that the contract between the parties pertain to delivery of equipment and its installation. They have tendered consent terms signed by the parties' representatives.

2. Both learned counsel state that their respective clients have authorized the signatories to execute the consent terms. In view thereof, I pass the following order :-

- (i) There will be an order in terms of the consent terms, taken on record and marked "X" for identification.
- (ii) All disputes and differences are referred to the sole arbitration of Dr. (Mrs.) Shalini Phansalkar-Joshi, Former Judge of this court.
- (iii) The Sole Arbitrator is requested to file a statement of disclosure under Section 11(8) and Section 12(1) with the Registrar (Judicial-I) within two weeks of her being intimated of this order with copies to the parties.
- (iv) The Sole Arbitrator is also requested to convene a preliminary meeting at her earliest convenience.
- (v) Both the petitions are disposed in terms of the consent terms.
- (vi) In view of disposal of Arbitration Petition No.162 of 2019, Interim Application (Stamp) No.3633 of 2021 does not survive and the same is disposed as infructuous.

(A. K. MENON, J.)