

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM ARBITRATION PETITION (L) NO. 308 OF 2020
WITH
COMM ARBITRATION APPLICATION NO. 138 OF 2020**

Sneha Metals Pvt Ltd & Ors

...Petitioner/
Applicant

Versus

Nikhil Gandhi & Ors

...Respondents

Mr Mutahaar Khan, *with Amit Mehta, i/b Mahimtura & Co., for the
Petitioner/Applicant.*

Mr Cyrus Ardeshir, *for some Respondents (appearance not given).*

Mr Sujit Lahoti, *with Parth Shah, i/b Sujit Lahoti & Associates, for
Respondents Nos. 6 and 8.*

Mr SS Kanetkar *for Respondent No. 10.*

**CORAM: G.S. PATEL, J
(Through Video Conferencing)**

DATED: 9th June 2021

PC:-

1. Heard through video conferencing.
2. The following order is by consent.

3. The Section 9 Petition is dismissed as unconditionally withdrawn.

4. So far as the Section 11 Application is concerned, it is unconditionally withdrawn against all the Respondents *except* Respondents Nos. 1, 5 and 10.

5. The Petitioners and Respondents Nos 1, 5 and 10 agree on the nomination of an Arbitrator, the Hon'ble Mr Justice AR Joshi, former Judge of this Court. They have also agreed that they will file Consent Terms before the learned Sole Arbitrator. At least one of the Respondents is raising a question of jurisdiction. That Respondent is agreeable to this order for the limited purpose of filing Consent Terms. This is duly noted.

6. The Arbitration Petition and the Arbitration Application are both disposed of in these terms. There will be no order as to costs.

7. All concerned will act on production of an ordinary copy of this order.

(G. S. PATEL, J)