

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION NO.272 OF 2021
WITH
COMMERCIAL ARBITRATION APPLICATION NO.20 OF 2021**

Leap India Private Limited Petitioner/Applicant

V/s.

Meesan Logistics Private Limited Respondent

Mr. Hetal Thakore a/w. Mr. Kunal Parekh, Ms. Bhavika Tiwari i/b. Dua Associates AOR Mumbai for petitioner/applicant.

Mr. Zaman Ali for respondent.

CORAM : K.R.SHRIRAM, J.

DATED : 19th JULY 2021

P.C. :

1 Mr. Thakore states that a major part of the claim made under Section 9 petition has been worked out and the portion, which according to petitioner is still pending, can be decided by the Arbitrator on an application under Section 17 of the Arbitration and Conciliation Act, 1996 (the Act). Mr. Thakore, therefore, requests that an Arbitrator be appointed and liberty be given to petitioner to move the learned Arbitrator with an application under Section 17 of the Act. Mr. Ali has no objection without prejudice to respondent's rights and contentions.

2 Keeping open the rights and contentions of the parties, Mr. Abhishek C. Bhadang, an Advocate practicing in this Court (Address : 17th Floor, Ramnimi Building, Near Yazdani Bakery, Near Mahesh Lunch,

Mumbai – 400 001, Mobile No.: 7045404068, Email ID : bhadangabhishek@gmail.com) is appointed as sole Arbitrator to arbitrate on all disputes arising out of and/or in connection with and/or relating to the Agreement for Hire of Equipment and Supply of Services dated 12th February 2019 and counter claim, if any.

3 The fees to be fixed by the Arbitrator, administrative expenses, typing charges and venue charges to be shared equally between the parties, i.e., 50% by applicant and 50% by respondent and the same shall be subject to cost in the arbitral proceedings.

4 The Arbitrator to communicate in writing to the advocate for applicant with copy to respondent the disclosures as required under Section 11 (8) read with Section 12 (1) of the Arbitration and Conciliation Act, 1996 within two weeks of receiving a copy of this order from any of the party.

5 Application accordingly stands disposed.

6 The Arbitrator to consider the Section 9 petition as an application under Section 17 of the Act and permit replies, further pleadings etc.

7 Petition accordingly stands disposed.

(K.R. SHRIRAM, J.)