

Andreza

IN THE HIGH COURT OF BOMBAY AT GOA

APPLN. FOR APPOINTMENT OF ARBITRATOR NO.13 OF 2021

SONA HOTELS, A PARTNERSHIP FIRM,
REP. BY ITS PARTNER, HARKISHIN
SURESH MELVANI

... APPLICANT

Versus

OYO HOTELS AND HOMES PVT. LTD.,
THR. THE DIRECTORS AND AUT. SIGN.
AND ANR

... RESPONDENTS

Mr. Amit Palekar, Advocate for the Applicant.
Mr. A. Gosavi, Advocate for the Respondents.

CORAM:- G. S. KULKARNI, J.

DATED :- 22nd November, 2022

P.C.

After this application was heard on the earlier occasion and also today, it is quite clear that a settlement could not be brought about between the parties.

2. Having due regard to the arbitration agreement and the seat of the arbitration as agreed between the parties, which is at New Delhi, this Court would not have jurisdiction to entertain this application considering the settled principles of law as laid down by the Supreme Court in BGS SGS SOMA JV vs. NHPC

Limited [(2020) 4 SCC 234].

3. Accordingly, the application is allowed to be withdrawn with liberty to file appropriate proceedings before the appropriate Court.

4. All contentions of the parties are expressly kept open.

G. S. KULKARNI, J.

ANDREZA PEREIRA Digitally signed by ANDREZA PEREIRA
Date: 2022.11.29 16:30:47 +05'30'