

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

ARBITRATION PETITION NO.1053 OF 2019

ALONG WITH

ARBITRATION APPLICATION NO.73 OF 2020

Arvind S. Mehta and Ors.

.. Petitioners–Applicants

Vs.

Tanishque Infrastructure and Ors.

.. Respondents

ALONG WITH

INTERIM APPLICATION NO.2063 OF 2020

Praful Lalji Sanathra

.. Applicant–Org. Resp. 3

Ms. Akansha Patil, with Mr. Maulik P. Vora and Ms. Ketki Prajapati, i/by
Pramodkumar & Co., for the Petitioners–Applicants.

Ms. Sunita Perumal, i/by Mr. Sachin Masurkar, for the Respondents.

CORAM : A. K. MENON, J.

DATE : 8TH FEBRUARY, 2022.

[THROUGH VIDEO CONFERENCE]

P.C. :

1. Learned counsel for the petitioners–applicants points out that there is an arbitration application, being Application No.73 of 2020, seeking appointment of a Sole Arbitrator. She also submits that in this petition, under Section 9 of the Arbitration and Conciliation Act, 1996, an ad-interim order dated 25th November 2021 is in operation.

2. Respondent no.2 is represented today. Learned counsel for respondent no.2 has no objection to refer the disputes to arbitration.

3. Accordingly, I pass the following order :-

- (i) The ad-interim order dated 25th November 2021 passed in this Arbitration Petition shall continue to operate till disposal of the Arbitral Reference by passing of Award and for a period of six weeks thereafter.
- (ii) By consent, Mr. Rubin Vakil, Advocate, is appointed as Sole Arbitrator to adjudicate upon claims and counter claims, if any,
- (iii) The learned Arbitrator is requested to file his disclosure statement under Section 11(8) and Section 12(1) within a period of three weeks from today with the Prothonotary and Senior Master, High Court, Bombay and provide copies thereof to the parties.
- (iv) Parties to appear before the Sole Arbitrator on a date to be fixed by him.
- (v) Fees payable to the Sole Arbitrator will be in accordance with the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.
- (vi) Arbitration Petition, Arbitration Application and Interim Application are disposed in the above terms. No costs.

(A.K. MENON, J.)