

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

ARBITRATION PETITION NO.165 OF 2024

Shri. Yashwant Govind Sakhare & Anr. ... Petitioners

V/s.

Guardian Promoters and Developers

Private Limited & Ors.

... Respondents

Mr. Vishwajeet Sawant, Senior Advocate i/b Prakash Mahadik for Petitioners.

CORAM : ARIF S. DOCTOR, J.

DATE : 18th DECEMBER 2024

P.C. :

1. Not on board. Mentioned. Taken on board for 'speaking to minutes' of the Order dated 25th November 2024.

2. Mr. Sawant, Learned Senior Counsel appearing on behalf of the Petitioners invites my attention to certain typographical errors in the Order dated 25th November 2024 read with the Order dated 2nd December 2024 by which an application for speaking to the minutes was made. Learned Senior Counsel submits that after the first Application for speaking to the minutes was made, the following errors in the modified order dated 25th November 2024 were observed and need to be corrected for clarity and harmonious reading:

a) In second line of the paragraph 4(a), the words 'a nominee

Arbitrator’ be replaced with ‘the nominee Arbitrator of the Respondent’.

b) In paragraphs 4(d), 4(e), 4(g)(i), 4(g)(ii) and 4(j), delete the words ‘nominee Arbitrator’ and replace the same with the word ‘Tribunal’.

c) In paragraph 4(h) be replaced as follows:

“(h) Fees: Since the nominee arbitrator who has already been appointed was appointed by consent of the parties hence the schedule of the fees will be inapplicable to them.

d) Paragraph 4(i) be replaced as follows:

“(i) Sharing of costs and fees: Parties agree that all arbitral costs and fees will be borne by the two sides in equal shares in the first instance.”

3. Hence, the modified order dated 25th November 2024 be corrected accordingly.

(ARIF S. DOCTOR, J.)