

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO. 255 OF 2024

Mr. Abhyuday Grover

...Petitioner

Vs.

New Haven Engineering Co. Pvt. Ltd. & Ors.

...Respondents

Mr. Sanket M. Mungale for the Petitioner.

Mr. Anil D'souza i/by Kartik Vig for the Respondents.

CORAM : ARIF S. DOCTOR, J.

DATE : 9TH OCTOBER, 2024

P.C.:-

1. Parties today tendered consent minutes of order dated 9th October, 2024 which are duly signed by both the Advocates for the Petitioner and Respondents. They request the Petition be disposed of in terms of the aforesaid.

2. The consent minutes of order is taken on record and marked 'X' for identification with today's date. Therefore, there will be an order in terms of consent minutes of order, which are as under:-

CONSENT MINUTES OF ORDER

1. By consent of the parties the following order is passed:

- a. Without prejudice to their rights and contentions, the parties have agreed to appoint Mr. Suprabh Jain, Advocate, 502, 5th floor, Niranjani, 99, Marine Drive, Mumbai 400 002, Mob. No.: 98208 97048, Email: suprabhjain@yahoo.co.in as a sole arbitrator.
- b. The disputes and differences between the parties pursuant to clause 2.2 of the agreement are referred to the sole arbitrator.
- c. The present Section 9 petition shall be converted to Section 17 application before the Sole Arbitrator.
- d. The Respondents shall file their Affidavit in reply to said Application under Section 17 of said Act within 5 days from today.
- e. The Application under Section 17 of said Act shall be heard and decided by the Arbitrator within period of 2 weeks from today.
- f. The statement made by the Respondents that they shall not create third party rights in respect of property described in Paragraph No.3 of the present Petition and recorded in the order dated 3rd September, 2024 and continued from time to time shall continue to operate till disposal of Section 17 application by the sole arbitrator.

- g. All contention and submissions of the respective parties are expressly kept open to be adverted before the sole arbitrator.
 - h. The sole arbitrator shall file his disclosure within a period of one week from intimation of this order to the arbitrator.
 - i. The fees payable to the arbitrator shall be in accordance with the rules.
 - j. In view of the above terms, the Petition is disposed of.
3. The Petition is therefore disposed of in these terms.

(ARIF S. DOCTOR, J.)