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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION APPLICATION NO. 107 OF 2024

Nikitesh Naresh Sharma ...Applicant
Vs.
Omkar Realtors Developers Pvt. Ltd. ...Respondent

Adv. Anand Mishra a/w Utkarsha Wadekar h/f Ashok Saraogi for the Applicant.
Adv. Noorain Patel i/by Diamondwala & Co. for the Respondent.

CORAM : ARIF S. DOCTOR, J.
DATE : 12TH AUGUST, 2024

P.C.:-

1. By the captioned Application, the following relief is sought:-

“a. that this Hon'ble Court be pleased to direct the Arbitrator concerned i.e. AnkitaSinghania to continue as an Arbitrator in the present case and for any reason, if the same is not possible, in those circumstances, appoint any other person to act as an Arbitrator on such terms as this Hon'ble Court may deem fit and proper.”

2. Learned Counsel pointed out that the Application was necessitated on account of the fact that the learned Arbitrator by minutes of the meeting dated 6th February, 2024 has recused herself for the reasons so stated in the minutes.

3. Learned Counsel today inform me that Learned Arbitrator has since intimated that she would be willing to continue to act as Arbitrator and thus by consent request the Application be allowed in terms of prayer clause (a).

4. Hence, for the aforesaid reason, I deem it fit and in the interest of justice to allow the Application in terms of prayer clause (a) reproduced above.

5. The proceeding shall continue before the learned Sole Arbitrator from the stage at which they were.

6. Application is accordingly disposed of.

(ARIF S. DOCTOR, J.)