

Vidya Amin

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

**ARBITRATION PETITION NO. 74 OF 2018
WITH
NOTICE OF MOTION (L) NO. 3082 OF 2018
IN
ARBITRATION PETITION NO. 74 OF 2018**

Ramawatar Babulal Jajodia & Anr. ... **Petitioners**
V/s.
Rajeev Anand & Ors. ... **Respondents**

**WITH
ARBITRATION PETITION NO. 807 OF 2017
WITH
ARBITRATION PETITION NO. 818 OF 2017**

Rajeev Anand & Ors. ... **Petitioners**
V/s.
Ramawatar Babulal Jajodia & Anr. ... **Respondents**

ARBITRATION PETITION NO. 803 OF 2018

Vinay Bhasin ... **Petitioner**
V/s.
Ramawatar Babulal Jajodia & Ors. ... **Respondents**

Mr. Nitin Thakkar, Senior Advocate with Smt. Megha Candar i/b. Ashok Dhanuka for the petitioner.

Mr. S.V. Kamdar, Senior Advocate, Rishabh Shah a/w. Yashesh Kamdar, Aniya Bhansali i/b. Raval Shah for respondent nos. 1, 3 and 4.

Mr. Ashish Kamat i/b. Anil Mishra and Neha Mhatre for respondent nos.4 & 6 in ARBP Nos. 803/2018, 807/2017 and 818/2017.

CORAM : G.S.KULKARNI, J.

DATE : 5th July, 2019

P.C.:

In the midst of hearing of these Petitions, Mr. Thakkar, learned

senior counsel for the petitioners would contend that there are certain further documents which are now available and which would show that learned arbitrator was consulted by the respondents in his personal capacity which would further amplify the case of the petitioners with regard to the arbitrator being not independent and impartial as required under the provisions of the Act.

2. Mr. Kamdar, learned senior counsel for the respondent nos. 1, 3 and 4 would submit that these are proceedings under Section 34 of the Act and no new material can be placed on record.

3. It is not possible to accept the documents across the bar. If the petitioners intend to do so, they need to file a proper application and the respondents will be required to be heard on such application. Accordingly, to enable the petitioners to file an application/Notice of Motion, stand over to 19th July, 2019 at 3 p.m.

4. Let the Motion be served well in advance. If the Motion is filed, let it be placed for hearing on the adjourned date of hearing.

(G.S.KULKARNI, J.)