

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).28533-28534/2010
(From the judgment and order dated 2.7.2010 in MCA Nos.1480 & 1481 of 2008
of The HIGH COURT OF JUDICATURE OF BOMBAY, BENCH AT NAGPUR)

CITY OF NAGPUR CORP.TR.MUN.COMMR. Petitioner(s)

VERSUS

M/S B.NARAYAN & ASSOCIATES THANE & ANR Respondent(s)

(With prayer for interim relief and office report)

WITH

SLP(C) NO. 33385 of 2010

(With prayer for interim relief and office report)

Date: 21/10/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s) Mr. Shivaji M. Jadhav, Adv.

For Respondent(s) Mr. V.A. Mohta, Sr. Adv.
Mr. Shashibhushan P. Adgaonkar, Adv.
Ms. Nilakanta Nayak, Adv.
Mr. Ashok Kumar Gupta II, Adv.

Mr. Dushyant A. Dave, Sr. Adv.
Mr. R.S. Hedge, Adv.
Mr. Chandra Prakash, Adv.
Mr. Rajeev Singh, Adv.

UPON hearing counsel the Court made the following
O R D E R

We have heard learned counsel for the parties at length.

We are not inclined to examine the issues raised in the present special leave petitions as, in our opinion, all those issues will have to be examined by the Arbitral Tribunal. We dispose of the special leave petitions by referring the matter to arbitration. We appoint Mr. Justice Ferdino Inacio Rebello, former Chief Justice of the Allahabad High Court as the sole arbitrator to adjudicate all the disputes between the parties. The Arbitrator shall be at liberty to fix the venue of the arbitration anywhere within the State of Maharashtra and fix his own fees/ remuneration/other conditions in consultation with the parties.

Let this order be communicated to the learned Arbitrator so that the arbitration proceedings can commence and conclude as expeditiously as possible.

The special leave petitions are disposed of in the above terms.

|(VINOD LAKHINA)
|COURT MASTER

| |(INDU BALA KAPUR)
| |COURT MASTER

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N.B. Learned counsel appeared for Mr. Shivaji M. Jadhav, Adv. did not give his appearance slip.