IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.547 OF 2013
WITH
NOTICE OF MOTION LODGING NO.1297 OF 2013

M/s. Chourangi Builders and Developers
Pvt. Ltd. And Anr. Amitabh Niladri Bhadu ....Petitioners.
Versus
Maharashtra Airport Development Co. Ltd. ...Respondent.

Mr. R.S.Apte, Sr. Advocate with Najafuja Shroff i/by Mr. P.M.Havnur, advocates for the Petitioners.
Mr. Dr. Birendra Saraf i/by Amit A. Karande, advocates for the respondent.

CORAM : RANJIT MORE, J.

DATED : JULY 22, 2013.

P.C.:

Precipes are moved in the aforesaid proceedings for, **Speaking to the Minutes of the Order** dated **11th July, 2013** by the respondent, and for appointment of **Substitute Arbitrator** by both the learned counsel to the petition.

2 Counsel for the respondent contends that in line number 3 of paragraph 2 of the aforesaid order, this Court observed that **"The Division Bench of this Court initially granted status-quo in favour of**

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the petitioners." He submits that no such order of status-quo was granted in favour of the petitioners. This position is not disputed by the learned counsel for the petitioners. In that view of the matter, the said line is deleted from the aforesaid order.

3 By the order dated 11th July, 2013, Mr. Justice J.P.Devadhar (Retired) was appointed as a Sole Arbitrator to arbitrate disputes between the parties to the petition. However, Justice Devadhar is not available for arbitration. In that view of the matter, parties agree to appoint **Mr. Justice J.A.Patil (Retired)** as a Substitute Arbitrator to arbitrate disputes between the parties to the petition.

4 Since Justice Devadhar could not act as Sole Arbitrator, petitioner could not approach him for interim measures and the period of two weeks has been elapsed in taking out precipe for appointing substitute arbitrator and disposing of the same. In that view of the matter, status-quo granted under the order dated 11th July, 2013 is continued for a further period of two weeks.

(RANJIT MORE, J.)

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Bombay High Court

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