

ITEM NO.5

COURT NO.4

SECTION IV-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SI.A.No.1&2 of 2017 IN Petition(s) for Special Leave to Appeal (C)  
No.5386/2014(Against the impugned final judgment & order dated 30.10.013 of the  
High Court of Judicature for Madhya Pradesh, Bench at Indore in Civil  
Writ Petition No.8537/2013)

KUTUBUDDIN AGARBATTIWALA &amp; ORS.

Petitioner(s)

VERSUS

AMINA BAI &amp; ORS.

Respondent(s)

(For directions and exemption from filing O.T.)

Date : 29/05/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE DEEPAK GUPTA

[VACATION BENCH]

For Petitioner(s)

Mr.Zoheb Hossain, Adv.

For Respondent(s)

Mr.Shivam Sharma, Adv.  
Mr.Mohan Pandey, Adv.UPON hearing the counsel the Court made the following  
O R D E R

Learned counsel for the respondents states that the respondents are ready to return the cost/fees which was paid by the petitioner to the arbitrator appointed by this Court. He further submits that the respondents have no objection if the new arbitrator, to be appointed by this Court, continues in the proceedings from the stage

where the earlier arbitrator was. On this, learned counsel for the petitioner does not have any objection if some other arbitrator is appointed by this Court. With the consent of the parties, Hon'ble Mr. Justice D.M.Dharmadhikari, a former Judge of this court is appointed as arbitrator. The petitioner shall also be paid the cost of Rs.50,000/- (fifty thousand) by the respondent.

With the above direction, I.A.No.1 of 2017 stands disposed of.

Pending applications, if any, also stand disposed of accordingly.

(Ashok Raj Singh)  
Court Master

(Mala Kumari Sharma)  
Court Master