

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**ARBA No. 11 of 2014**

M/s. Vinod Kumar Jain, A Partnership Firm through Partner Vinod Kumar Jain, S/o. Shri Hanuman Prasad Jain, Aged about 48 years, R/o. College Road, Jashpurnagar, District Jashpur (C.G.).

---- Applicant**Versus**

1. Municipal Corporation Raigarh, through Commissioner Municipal Corporation, Raigarh (C.G.)
2. The Executive Engineer, Municipal Corporation Raigarh (C.G.).

---- Respondents

For Appellant : Mr. Rahul Jha, Advocate

For Respondents : Mr. Pankaj Agrawal, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****08/09/2015**

1. This is an application under Section 11(6) of the Arbitration & Conciliation Act, 1996 for appointment of Arbitrator.
2. It is the case of the applicant that a contract was awarded for construction of R.C.C. Road, Drains, Footpath & Divider etc. from Jute Mill near R.O.B. to Chhatamuda Chowk for Gaurav Path. Accordingly, the work order was issued on 01.10.2008 and the period for completion of the said work was 18 months including rainy season. The scheduled date of completion was 30.04.2010. However, for some dispute or other, the agreement which was entered into for the work was terminated by the respondents on 16.08.2011 and thereafter, the dispute was raised initially before the Mayor of the Corporation but the dispute remained undecided. Subsequently, an Arbitrator was appointed by the Corporation, which was not agreed to by the applicant.

3. The respondents before this Court submits that they have agreed for appointment of the Arbitrator. Therefore, without going into the merits of the case, it is directed that the Hon'ble Shri Justice V.K.Shrivastava, Retd. Judge of High Court of Chhattisgarh, is appointed as Sole Arbitrator to adjudicate the difference/ dispute. The remuneration of the Arbitrator shall be settled by the parties.
4. With the above direction/observation, the arbitration application stands disposed of. No order as to cost.

Sd/-
(Goutam Bhaduri)
JUDGE

Ashok