

IN THE HIGH COURT OF BOMBAY AT GOA

APPLN. FOR APPOINTMENT OF ARBITRATOR NO. 4 OF 2015

MR. ALBERT DE SA.	... Applicant
Versus	
MR. ROLAND CAMILO DA COSTA CORREIA AND ANR.,	... Respondents

Mr. Gaurish N. Agni, Advocate for the Applicant.
Mr. S. Karpe, Advocate for the Respondents.

Coram:- F. M. REIS, J.

Date:- 11th June, 2015

P.C.:

Heard Mr. G. Agni, learned Counsel appearing for the applicant and Mr. S. Karpe, learned Counsel appearing for the respondents.

2. Reply filed by the respondents is taken on record.
3. This is an application filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator. The existence of the arbitration clause in the agreement is not in dispute.
4. The fact that disputes have arisen between the parties and are covered by the agreement is also not disputed, but however, the respondents contended that the claim is barred by limitation. This aspect in any event can be examined by the Arbitrator in accordance with law.

5. Hence, there is no reason to refuse the above application.

6. In view of the above, I pass the following order:

(i) The application is allowed.

(ii) By consent, Mr. R.G. Ramani, advocate having office in Panaji is appointed as a sole Arbitrator.

(iii) Application stands disposed of.

F. M. REIS, J.

NH