

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 42 OF 2015

M/s. Shri Durga Mining Company

.....Petitioner

: V/S :

M/s. Adil Traders

.....Respondent

* * * * *

Ms. Peppino Bahl i/by. Ms. Divya Bahl, Advocate for the petitioner.

* * * * *

Coram :- Smt. R.P. SondurBaldota, J.

29th October, 2015.

P.C. :-

1). This petition is filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 for appointment of an arbitrator. Notice of the petition has been twice served upon the respondent, who is not present before the Court. The averments in the petition and correspondence between the parties, establishes existence of arbitration agreement and arbitral dispute between them. During the correspondence, the respondent had suggested name of Mr. Bheem Jagtap, retired District Judge as the sole arbitrator for resolution of the dispute. The petitioner, rejected the name because according to the petitioner, the respondent had failed to provide adequate information

about the suitability of the person to preside over the arbitral proceedings. In the circumstances, the petition is allowed.

2). Smt. Urmila Joshi, retired District Judge residing at 179, Ruikar Colony, Kolhapur-416 005 is appointed as an Arbitrator to arbitrate the dispute between the parties.

(SMT. R.P. SONDURBALDOTA, J)