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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO.88 OF 2015

The Bombay Dyeing & Manufacturing Co. Ltd.	...Applicant
V/s.	
M/s.Vedic Cotton Limited	...Respondent

Ms.Jinal Gogri i/b Negandhi, Shah & Himayatullah for the Applicant.

None for the Respondent.

CORAM : R.D. DHANUKA, J.
DATE : 9TH SEPTEMBER, 2015.

P.C. :-

1. Learned counsel appearing for the applicant states that the respondent has been served and tenders affidavit of service. The statement is accepted. The affidavit of service is taken on record.
2. By this application filed under section 11(6) of the Arbitration & Conciliation Act, 1996 (for short "Arbitration Act") the applicant has invoked arbitration agreement recorded in the purchase order annexed at Exhibit "E" to the arbitration application which is acted upon by the parties.
3. The dispute arose between the parties. The applicant through its advocate's notice dated 2nd September, 2014 invoked the said arbitration agreement and suggested the name of a counsel

practicing in this Court. The respondent has neither responded to the said notice nor suggested any other name. The applicant has thus filed this arbitration application under section 11(6) of the Arbitration Act. None appeared for the respondent, though served. No affidavit in reply has been filed.

4. A perusal of the purchase order and the correspondence annexed to the arbitration application indicates that the arbitration application exists as recorded in the said purchase order, which has been acted upon. Since the respondent has not given any name, this arbitration application filed by the applicant under section 11(6) of the Arbitration Act is maintainable.

5. Mr. Sharan Jagtiani, advocate is appointed as the sole arbitrator.

6. The Arbitration application is accordingly disposed of in the aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)

“Certified to be true and correct copy of original signed order.”