

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION (ARB) NO. 58 OF 2015.

(SUDHIR SHARAD KACHORE & OTH..VS..NIRMAL UJJWAL SAHAKARI PAT SANSTHA MARYADIT)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A.HAQ, J.

DATED : JUNE 17, 2015.

Heard Mr. Avinash Gharote, the learned advocate for the applicant and Mr. H.D.Dangre the learned advocate for the Non-applicants.

This is an application under Section 11 of the Arbitration and Conciliation Act, 1996 praying for appointment of Arbitrator to settle the dispute between the parties.

The learned advocates for the respective parties agree that the dispute between the parties is required to be referred to the Arbitrator as per Clause 46.00 of the agreement between the parties. It is undisputed that the claim made by the applicant falls within the arbitration clause and the claim subsists.

The parties jointly request that the matter be referred for arbitration to Shri A.P. Deshpande, Former Judge of this Court. The request made by the parties is accepted.

The learned advocate for the applicant undertakes to serve the copy of this order on the learned Arbitrator.

As per Rule 803-D of the Rules relating to the Arbitration and Conciliation Act, 1996 the applicant and non-applicant agree to deposit Rs.One Lac each with the Registry of this Court for securing the fees of the Arbitrator. This amount shall be kept with the Registry of this Court till the award is passed by the learned Arbitrator.

The parties shall pay the arbitration fees to the learned Arbitrator directly. The amount deposited with the Registry of this Court is only as security.

The applicant shall deposit Rs.Five Thousand with the Registry of this Court towards processing charges, within two weeks. On deposit of the processing charges, the Registry shall process the matter and send the same to the Arbitrator within one week of the deposit of the processing charges.

The application stands disposed of in the above terms.

JUDGE