

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

Arbitration Application No.62 of 2015

Dt:31.12.2015

Between:

M/s. Appolo Health and Lifestyle Limited.

... Applicant

And

Dr.V.Kunhahamed Kutty.

... Respondent

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

Arbitration Application No.62 of 2015

PC:

Heard learned counsel for the parties.

Mr.L.V.S.Nagaraju, learned counsel for the respondent, at the outset, submits that the respondent has no objection for appointing Sri T.Sarath, Advocate practising in this Court as an Arbitrator for resolving the dispute between the applicant and the respondent.

Clause 17.1 of the agreement, dated 23.05.2007, provides appointment of two Arbitrators, one to be appointed by each party and two Arbitrators to appoint the third Arbitrator, who shall act as Presiding Arbitrator. Despite this clause, learned counsel for the parties state that the parties have agreed for reference to the sole Arbitrator, Sri T.Sarath, Advocate practising in this Court.

Mr.T.Sarath is accordingly appointed as sole Arbitrator by consent of the parties. Learned Arbitrator shall fix his remuneration upon deliberation and consultation with the parties. The costs and expenses of the secretarial assistance of the arbitration proceedings shall also be determined by the learned Arbitrator. Each party will bear the expenses of the arbitration proceedings in all respects in equal share. I desire that learned Arbitrator shall complete the arbitration proceedings by making publication of Award within a period

of six months from the date of entering upon reference. The Arbitrator shall as far as possible hold arbitration meetings in the arbitration centre in the High Court premises, 'C' Block.

The Arbitration Application is accordingly disposed of.

DILIP B. BHOSALE, ACJ

Dt:31.12.2015
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