

IN THE HIGH COURT OF BOMBAY AT GOA**APPLICATION FOR APPOINTMENT OF
ARBITRATOR NO.3/2016**

M/s. Lawande Sons,
A partnership firm, having its
registered Office at Lobo Building,
next to Sher-e-Punjab,
18th June Road, Panaji, Goa
represented herein by its Partners
Mr. Gaurish Vinyak Lawande
and Mr. Nilesh Vinayak Lawande.

..... **Applicant.**

Versus

Mr. Ravi Kiran Shrikant Jadhav,
son of Mr. Shrikant Jadhav,
Businessman, resident of
“Shripushpa” Wikaswadi,
A/p-Kherdi, Chiplun,
Ratnagiri, Maharashtra.

..... **Respondent.**

Mr. Sudin M.S. Usgaonkar, Senior Advocate with Ms. V. Palyekar,
Advocate for the applicant.

None for the respondent though served.

CORAM :- F.M. REIS, J.

Date : - 15/07/2016.

ORAL ORDER :-

This is an application for appointment of an arbitrator

under Section 11(6) of the Arbitration and Conciliation Act, 1996. The respondent, though served, failed to remain present.

2. On perusal of the agreement between the parties, it cannot be disputed that there is an arbitration clause. The averments in the application suggest that the alleged dispute raised by the applicant arises from such agreement which is covered by an arbitration clause. The averments made in the application stand uncontroverted as the respondent has not filed any reply for appointment of an arbitrator. The respondent failed to appoint an arbitrator in terms of the agreement despite a notice to that effect.

3. In such circumstances, I pass the following :

O R D E R

Justice R.M.S. Khandeparkar, retired Judge of this Court is appointed as the sole Arbitrator to adjudicate the dispute between the parties.

The application stands disposed of accordingly.

F.M. REIS, J.