

IN THE HIGH COURT OF BOMBAY AT GOA

APPLN. FOR APPOINTMENT OF ARBITRATOR NO. 4 OF 2016

STERLING AND WILSON PVT. LTD.,
THROUGH ITS PRESIDENT MR. MAURICE
DENIESE.

... Applicant

Versus

M/S. ALCON RESORT HOLDINGS LTD.,
THROUGH ITS MD MR. VICTOR M.
ALBUQUERQUE.

... Respondent

Mr. Ashwin D. Bhobe, Advocate for the applicant.
None for the respondent, though served.

Coram:- F. M. REIS, J.

Date:- 6th May, 2016

P.C.:

Heard Mr. A. D. Bhobe, learned Counsel appearing for the applicant. The respondent, though served, failed to remain present.

2. This is an application for appointment of an Arbitrator under Section 11(6) of the Arbitration and Conciliation Act, 1996.

3. Mr. A. D. Bhobe, learned Counsel appearing for the applicant points out that the claim of the applicant is covered by an arbitration clause which is in terms of the agreement dated 23/07/2009. The respondent, though served, failed to remain present and, as such, the statements in the application stand uncontroverted.

4. Hence, I pass the following :

O R D E R :

(I) Justice Shri N.A. Britto, Retired Judge of this Court is appointed as the sole Arbitrator to adjudicate the dispute between the parties.

(II) All contentions of both the parties, on merits, are left open.

(III) The application stands disposed of accordingly.

F. M. REIS, J.

ssm.