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HIGH COURT OF CHHATTISGARH, BILASPUR

Arbitration Application No. 59 of 2015

- M/s. Sangha Erectors Pvt. Ltd., Registered Office at 1B Vasavi Nagar, Picket Secunderabad, Hyderebad – 50009 (Andhra Pradesh) Though Its Managing Director, S.S. Sangha, Aged about 58 years son of Shri Ajit Singh

---- Applicant

Versus

- M/s. Sepco Electric Power Construction Corporation BALCO Power Plant – 1200 MW, Korba (C.G.) Through its President Project, Mr. Gao Hongzeng.

---- Respondent

For Applicant : Shri Sandeep Yadav, Advocate
For Respondent : Shri C.P. Lahrey, Advocate

Hon'ble Shri Deepak Gupta, Chief Justice

Order on Board

20.01.2017

1. This application under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short, 'the Act') has been filed by the applicant for appointment of Arbitrator.

2. Briefly stated facts are that the petitioner, which is a Company incorporated under the Companies Act, 1956 entered into an agreement with the respondent - M/s. Sepco Electric Power Construction Corporation. As per the terms of this agreement, which has been attached to this petition, the petitioner was to construct circulating water pipe in terms of the contract. The agreement contains an Arbitration Clause whereby in case of dispute and differences, the same should

be referred to Arbitrator and the Arbitration is to be conducted at Korba (Chhattisgarh). As per the terms of the agreement the proceeding is to be carried out in English.

3. Since dispute has arisen, therefore, I hereby appoint Shri Pradeep Kumar Dave, Retd. District Judge, residing at Plot No.7/1, Radhika Nagar, Behind Supela Thana, Supela-Bhilai, District – Durg (C.G.), as Arbitrator in the case.

4. The Petitioner and the Respondents may file their claim / counter-claim before the aforesaid Arbitrator within a period of four weeks from today who is requested to dispose of the matter within the time prescribed in the Arbitration and Conciliation Act, 1996, as amended.

5. The parties are directed to appear before the Arbitrator on 5th March, 2017.

6. Registry is directed to send a copy of this order to Shri Pradeep Kumar Dave so as to reach within one week from today.

7. The Arbitration Application stands disposed of.

Sd/-
(**Deepak Gupta**)
CHIEF JUSTICE

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