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HIGH COURT OF CHHATTISGARH, BILASPUR**Arbitration Application No. 62 of 2015**

M/s Gupta Infrastructure (India) Pvt. Limited, having its office at 4th Floor, Gupta Towers, Temple Road, Civil Lines, Nagpur (Maharashtra), through its Authorised Signatory Shri Suyog Shrikant Nildawar

---- Applicant/Petitioner**versus**

Raipur Development Authority, having office at 2nd Floor, Bhakt Mataa Karmaa Commercial Complex, New Rajendra Nagar, Raipur – 492 006 (Chhattisgarh) through its Chief Executive Officer

---- Respondent

For Petitioner	:	Shri Ashish Surana, Advocate
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For Respondent	:	Shri Kishore Bhaduri, Advocate
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Hon'ble Shri Deepak Gupta, Chief Justice**Order on Board****10/02/2017**

1. This is an application filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 by the Petitioner for appointment of Arbitrator.
2. Notice was issued on 17.12.2015. The Respondent put in appearance on 18.3.2016 and requested for time to seek instruction. Again on 20.4.2016, Respondent sought three weeks time to seek instructions in the matter. On 16.12.2016 again no one had appeared for the Respondent. Thereafter the matter was listed on 23.12.2016, when again no one had appeared for the Respondent. The case is listed today when none has appeared for the respondent. It appears that

the Respondent is not interested in contesting the case.

3. The Petitioner had entered into a lease agreement with the Respondent and the agreement contains an arbitration clause. The disputes have arisen and which are finally referred to an arbitration proceeding. The Petitioner has issued notice to the Respondent Raipur Development Authority on 5.10.2015 but no reply to this notice was given. Thereafter, the Petitioner has nominated Shri Yogeshwar L. Chandak as Arbitrator vide letter dated 15.10.2015. Raipur Development Authority neither sent reply to the Petition nor did it nominate any Arbitrator.
4. Since a dispute has arisen between the parties, it has to be resolved by the Arbitral Tribunal. Therefore, I appoint Shri Justice Rangnath Chandrakar, residing at Behind Allahabad Bank, In front of Himachal Ice Factory, G.E. Road, Ravigram, Telibanda, Raipur – 492006, a retired Judge of High Court of Chhattisgarh, as sole Arbitrator in the case.
5. 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.
6. The parties are directed to appear before the Arbitrator on 19.03.2017. It is made clear that this Court has not expressed any opinion on the merits of the contentions raised by both the rival parties.

7. Registry is directed to send a copy of this order to Shri Justice Rangnath Chandrakar so as to reach within one week from today.
8. The arbitration application stands disposed of.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE

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