

IN THE HIGH COURT OF BOMBAY AT GOA
APPLN. FOR APPOINTMENT OF ARBITRATOR NO. 1 OF
2017

MR. SEBASTIAO E.J. COUTINHO AND 2 ORS.,	... Applicants
Versus	
MRS. RAJITA RAJESH DAWNE.,	... Respondent

Mr. J. A. Lobo, Advocate for the Applicants.

Coram:- F. M. REIS, J.

Date:- 21st April, 2017

P.C.

Heard Shri J. A. Lobo, learned Counsel appearing for the Applicants. None present for the Respondent though served.

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

3. It is pointed out by the learned Counsel appearing for the Applicant that in terms of the Agreement executed between the Applicant and the Respondent dated 12.02.2007, a dispute has arisen which can be referred to Arbitration in terms of Clause 30 of such Agreement.

4. The Respondent, who was duly served, has failed to appear

and file any reply.

5. Considering that the Respondent has not disputed the existence of the Arbitration clause and that the dispute has arisen between the parties, based on such Agreement, I find that there is no reason to refuse the relief sought by the Applicant to appoint an Arbitrator.

6. In such circumstances, I pass the following :

ORDER

(i) Justice N. A. Britto, former Judge of this Court is appointed as sole Arbitrator to adjudicate the dispute between the parties in accordance with law.

(ii) Application stands disposed of.

F. M. REIS, J.

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