

IN THE HIGH COURT OF BOMBAY AT GOA

APPLN. FOR APPOINTMENT OF ARBITRATOR NO. 5 OF
2017

SHRI. VALLABH NILKANT AMONKAR AND
ANR.,

... Applicants

Versus

SHRI. GAJANAN N. AMONKAR.,

... Respondent

Mr. Sahish Mahambrey, Advocate for the applicants.
Mr. Vallabh D. Pangam, Advocate for the respondent.

Coram:- F. M. REIS, J.

Date:- 5th May, 2017

P.C.

Heard Mr. Sahish Mahambrey, learned counsel appearing for the applicants and Mr. Vallabh D. Pangam, learned counsel appearing for the respondent.

2. This is an application for appointment of an Arbitrator as the earlier Arbitrator Mr. V. P. Shetye, (Retired District Judge) has recused himself from continuing to be an Arbitrator.

3. Upon hearing both the learned counsel, I do not appreciate the conduct of the applicants in making irresponsible allegations which forced the earlier Arbitrator to recuse himself. The learned counsel for the respondent points out that in case any new Arbitrator is appointed, the costs of the Arbitrator shall

be borne by the applicants herein as according to him, the respondent has incurred substantial expenditure in the Arbitration Proceedings for last four years. In the peculiar facts and circumstances of the case, I pass the following :

O R D E R

(i) Justice N. A. Britto, Former Judge of this Court is appointed as an Arbitrator to adjudicate the dispute between the parties.

(ii) The costs of the Arbitration Proceedings shall be borne by the applicants herein.

(iii) The application stands disposed of accordingly.

F. M. REIS, J.

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