

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 31 OF 2017

M/s. Roshan Developers] Petitioners

Vs.

Mr. Sharad Vinayak Rayrikar & Ors.] Respondents

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Mr. V. Kasle i/b Ram & Co., for the petitioner.
None for the respondents.

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CORAM : R.G. KETKAR, J.

DATE : 6th June, 2017.

P.C.

Heard Mr. Kasle, learned Counsel for the petitioners.

None appears for the respondents.

2. Above Petition was heard on 18th April, 2017 when Shri Mangesh Joshi, husband of respondent No.3 and Shri Anand Gopal Rayrikar, respondent No.4 were present in the Court. In their presence, by consent of the parties, Mr. M.L. Nahar, Ad-hoc District

Judge & Additional Session Judge was appointed as Arbitrator. Learned Prospective Arbitrator was directed to file Statement of Disclosure under Section 11 (8) read with Section 12 (1) (b) of the Arbitration and Conciliation Act, 1996 [for short 'Act'] in this Court. Learned prospective Arbitrator was requested to indicate in the statement of disclosure whether he will be able to complete arbitration within 12 months from the date of entering upon the reference as contemplated under Section 29-A of the Act.

3. In pursuance thereof, prospective Arbitrator has submitted statement of disclosure dated 29th April, 2017 which is taken on record and marked 'X' for identification. In the statement of disclosure, prospective Arbitrator has set out that he has no past or present relations with, in existence either direct or indirect, or interest in any of the parties or subject matter in dispute whether financial, business, professional or other kind which is likely to give rise to justifiable doubts as to his independence or impartiality to work, if he is appointed as sole Arbitrator in the above said matter, as per provisions of Section 12 of the Act.

4. In view thereof, Petition is disposed of by appointing

Mr. M.L. Nahar, Ad-hoc District Judge & Additional Session Judge as Arbitrator. Mr. Kasle assures that he will communicate this order to respondents as also their learned Arbitrator within three weeks from today. Order accordingly. Parties to act upon authenticated copy of this order.

[R.G. KETKAR, J.]