

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Arbitration Petition (ST) NO. 7232 OF 2017

M/s. Gulraj Constructions

...Petitioner

Versus

The Institute Of Cost Accountants Of India

..Respondent

....

Mr.V.P. Sawant, Senior Advocate i/b. P.M. Jadhav, Advocate for Petitioner.

Mr. Kunal Chheda, Advocate i/b. M.V. Kini & Co., for Respondent.

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CORAM : R. G. KETKAR, J.

DATE : 14th JULY, 2017

P.C.

1. Heard Mr.V.P. Sawant, learned Senior Counsel for the petitioner and Mr.Kunal Chheda, learned counsel for the respondent, at length.

2. By order dated 23.6.2017, by consent of the parties, I proposed to appoint Professor Dr. Vandana Bhatt, as a sole arbitrator for adjudicating the disputes and differences between the parties. The prospective arbitrator was requested to submit the statement of disclosure in writing in terms of Sections 11(8) and 12(1) of the Arbitration and Conciliation Act, 1996 (for short, 'Act'). She was further requested to disclose in the statement of disclosure whether he can make the award within a period of 12 months from the date of arbitral Tribunal entering upon the

reference under Section 29-A of the Act.

3. Mr. Sawant has tendered the statement of disclosure in writing of the proposed Arbitrator dated 1.7.2017 setting out therein that there are no circumstances disclosing any past or present relationship with or interest in relation to the subject matter in dispute, whether financial, business, professional or other kind, which is likely to give rise to justifiable doubt as to her independence or impartiality. She has further stated that she can devote time to complete the arbitration within twelve months and render the award within three months. The statement of disclosure dated 1.7.2017, is taken on record and marked 'X', for identification.

4. In view thereof, by consent of parties, Professor Dr. Vandana Bhatt is appointed as a sole arbitrator for adjudicating the disputes and differences between the parties. Learned Counsel appearing for the parties assure that they will serve an authenticated copy of this order on the learned Arbitrator. Petition is disposed of. Order accordingly.

(R. G. KETKAR, J.)