

ARBITRATION PETITION NO.74 OF 2017

Vs.

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Mr. Ajit Arvind Aradhye, Deputy Executive Engineer, Public Works Department, Pandharpur Division present.

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DATE : 10th NOVEMBER, 2017

P.C.:

1 Mr. Patil appearing for respondent states that respondent has contacted Mrs. Justice Sujata Manohar, a former Judge of Supreme Court of India, inquiring as to whether respondent could nominate Her Ladyship as Arbitrator on behalf of respondent. Mr. Patil states that he has received a communication dated 30th October, 2017, copy whereof is taken on record and marked 'X' for identification, stating that Her Ladyship will be happy to act as an Arbitrator.

2 Mr. Apte, appearing for petitioner, on instructions from
Mr. N.D. Rana, authorised representative of petitioner states that petitioner
is agreeable if Mrs. Justice Sujata Manohar is appointed as Sole Arbitrator
so that cost can be kept to the minimum.

3 Mr. Patil has no objection if Mrs. Justice Sujata Manohar is appointed as Sole Arbitrator since Mrs. Justice Sujata Manohar was nominated by respondent.

4 In the circumstances, Mrs. Justice Sujata Manohar, a former Judge of Supreme Court of India, residing at Goenka House, 16, Walkeshwar Road, Mumbai - 400 006 (Telephone No.022-23633899/022-23634100, Email ID-sujatamanohar@gmail.com) is appointed as Sole Arbitrator to arbitrate on all disputes and differences, including counter claim, if any, between the parties arising out of or in connection with or relating to Contract for improvement of S.H.76 to Takali Kasegaon Anwali Road MDR 71 Km No.00/00 to 11/00 (BOT) Tal - Pandharpur.

5 The fees to be fixed by the Arbitrator, administrative expenses, typing charges and venue charges to be shared equally between the parties, i.e., 50% by petitioner and 50% by respondent and the same shall be subject to cost in the arbitral proceedings.

6 The Arbitrator to communicate to the Advocate for petitioner with copy to respondent the disclosures as required under Section 11 (8) read with Section 12 (1) of the Arbitration and Conciliation Act, 1996 within four weeks of receiving a copy of this order from petitioner's Advocates or respondent's Advocates.

- 7 Liberty to apply.
- 8 Petition accordingly stands disposed.

(K.R. SHRIRAM, J.)