

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Arbitration Petition (ST) NO. 28659 OF 2016

Hariom Projects Private Limited,

...Petitioner

Versus

The Union Of India

And Ors

...Respondents

....

Mr.S.V. Sadavarte, Advocate for the Petitioner.

Mr.B.B. Sharma, Advocate for the Respondents.

....

CORAM : R. G. KETKAR, J.

DATE : 04th AUGUST, 2017

P.C.

1. Heard Mr.S.V. Sadavarte, learned counsel for the petitioner and Mr.B.B. Sharma, learned counsel for the respondents.

2. By this Petition under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, 'Act'), the petitioner has prayed for appointment of sole arbitrator for adjudicating the disputes and differences between the parties. Mr. Sadavarte has tendered consent letter dated 3.8.2017 of the petitioner. By that letter, the petitioner has consented for appointment of Shri S.S. Bansal, Joint D.G. (Contract) as being appointed as Sole

Arbitrator. Said letters dated 3.8.2017, is taken on record and marked 'A' for identification.

3. Mr. Sharma has tendered a communication dated 3.8.2017 addressed by Sunil Kumar, IDSE, EE (SG), Garrison Engineer (P) NW to him. By that letter, the respondents have agreed to appointment of Shri S.S. Bansal. Said letter dated 3.8.2017 is taken on record and marked 'B' for identification.

4. The prospective Arbitrator has submitted the statement of disclosure in writing under Section 11(8) read with Section 12 of the Act. In the statement of disclosure, the prospective Arbitrator has stated that there exist no circumstances disclosing any past or present relationship with or interest in any of the parties or in relation to the subject matter in dispute whether financial, business or professional or other kind, which is likely to give rise to justifiable doubts as to his independence or impartiality. It is further stated that no circumstances which are likely to affect his ability to devote sufficient time to arbitration and in particular his ability to finish the entire arbitration within twelve months and render an award within three months exist. Said letter is taken on record

and marked 'C' for identification.

5. In view thereof, by consent of parties I appoint Shri S.S. Bansal, Joint D.G. (Contract) as a Sole Arbitrator for adjudicating the disputes and differences between the parties.

The address of Shri S.S. Bansal is as under:

“Shri S.S. Bansal,
Joint D.G. (Contracts)
HQ Western Command,
Chandimandir, Chandigarh.”

6. Learned Counsel for the parties assure that they will transmit an authenticated copy of this order to the learned Arbitrator. In addition, the office shall also transmit an authenticated copy of this order to the Arbitrator on his address. Petition is disposed of. Order accordingly.

(R. G. KETKAR, J.)