

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION PETITION NO.8 OF 2017

M/s. Techno Consultant through Proprietor Rahul Shelar ... Petitioner
Vs.
Ichalkaranji Municipal Council through its Chief Officer ... Respondent

Ms Dipti Kuber i/b. Mr. Devmani Shukla for Petitioner.
Mr. Akshay P. Shinde for Respondent.

CORAM : R. G. KETKAR, J.
DATE : JULY 07, 2017

P.C. :

Heard Ms Kuber, learned Counsel for petitioner and Mr. Shinde, learned Counsel for respondent.

2. By this Petition under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'Act'), petitioner has prayed for appointment of the sole arbitrator for adjudicating the disputes and differences raising out of the agreement dated 23.09.2010 between the petitioner and the respondent.

3. By order dated 16.06.2017, by consent of the parties, Shri Amol V. Deshpande, retired District Judge, Kolhapur was proposed to be appointed as a sole arbitrator. The prospective arbitrator was requested to file statement of disclosure in terms of Section 11(8) read with Section 12(1) of the Act before the next date of hearing as also to indicate whether he would be able to complete the arbitration proceedings within 12 months from the date of entering upon the reference as contemplated under Section 29-A of the Act.

4. In pursuance thereof, the prospective arbitrator has submitted statement of disclosure in writing on 26.06.2017, which is taken on

record and marked 'X' for identification. In the statement of disclosure, the prospective arbitrator has stated that there are no circumstances likely to give rise to justifiable doubts as to his independence or impartiality. As contemplated under Section 29-A of the Act subject to the co-operation to be extended by the parties, he will be able to complete the arbitration proceedings within 12 months from the date of entering upon the reference. Learned Counsel for the parties assure that they will extend full co-operation to the prospective arbitrator.

5. In view thereof, Mr. Amol V. Deshpande residing at Flat No.1, Marigold Apts., R.S.No.212/2/3, Mahadeo Mandir Road, Karande Mala, Kadamwadi, Kolhapur 416003, is appointed as arbitrator for adjudicating the disputes and differences raising out of the agreement dated 23.09.2010 between the petitioner and the respondent. All the parties, including the Arbitrator so appointed, shall act upon the authenticated copy of this order. Petition is disposed of accordingly with no order as to costs.

(R. G. KETKAR, J.)

Minal Parab