

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Arbitration Petition NO. 2 OF 2017
With
Arbitration Petition NO. 3 OF 2017

M/s. R.C. Shah ,	...Petitioner
<i>Versus</i>	
Union Of India	
And Ors	...Respondents

....

Mr.Pralhad D. Paranjape, Advocate for the Petitioner.
Mr.Y.R. Mishra i/b. Upendra Lokegaonkar, Advocate for the Respondents.

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CORAM : R. G. KETKAR, J.

DATE : 21st JULY, 2017

P.C.

1. Heard Mr.Pralhad Paranjape, learned counsel for the petitioner and Mr.Y.R. Mishra, learned counsel for the respondents in both Petitions, at length.

2. Perused the earlier orders passed by this Court. By order dated 7.7.2017, I proposed to appoint Shri P.Y. Deshmukh, retired Chief Engineer (Additional Charge), P.W.D. Region Nashik, to act as a Sole Arbitrator to adjudicate the disputes between the parties. The prospective Arbitrator was directed 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'). The prospective Arbitrator was also directed to disclose in the statement of disclosure whether he can make 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. Paranjape has tendered statements of disclosures in writing of the prospective Arbitrator, which are taken on record and marked 'X' respectively, for identification. The prospective Arbitrator has stated that the 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, professional or other kind, which is likely to give rise to justifiable doubts as to his independence or impartiality do not exist and that he will devote sufficient time to the arbitration and will be able to complete the arbitration within 12 months.

4. In view thereof, Shri Prabhakar Yashwantrao Deshmukh is appointed as a Sole Arbitrator to adjudicate the disputes and differences between the parties. Both Arbitration

Petitions are disposed of. Learned Counsel appearing for the parties as also the Registry shall forthwith transmit an authenticated copy of this order to the Arbitrator. Order accordingly.

(R. G. KETKAR, J.)

Deshmane (PS)