

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

IN ITS COMMERCIAL DIVISION

COMM. APPLICATION NO.24 OF 2017

JMS Mining Services Pvt. Ltd.)....Applicant
V/s.

ACC Mineral Resources Limited)....Respondent

Mr.Ashish Kamat a/w Ms.Dipti Sharma i/by Dhru & Co. for the applicant.

Mr.Arijit Matira i/by J.P.Kar for respondent.

CORAM : K.R.SHRIRAM,J

DATE : 28.11.2017

P.C.:-

1 Counsel for the applicant and counsel for respondent have given 3 names at page nos.226 and 227 of the application, respectively. Both the counsel leave it to the court to decide who shall be the sole arbitrator.

2 Therefore, the following order is passed.

ORDER

(a) Mr.Pradeep K.Sancheti, Senior advocate practicing in this court having his office at 202-203, 2nd Floor, Mulla House, 51, M.G.Road, Fort, Mumbai-400 001, Mobile No.9820072214, E-mail pradeepsancheti@gmail.com, is appointed as sole arbitrator to

arbitrate upon the disputes/differences including counter claim, if any, arising out of or relating to the Mine Development Contract, Supply of Equipment Contract and Mine Operation Contract dated 26.11.2013 ;

(b) The fees, administrative expenses, typing charges and venue charges shall be shared equally between the parties and the same will be cost in the arbitral proceeding ;

(c) Within 3 weeks of receiving a copy of this order, either from the advocates for petitioner or for respondents, the learned Arbitrator shall file with the parties, disclosure in writing as required under Section 11(8) read with section 12(1) of Arbitration and Conciliation Act 1996;

(d) All rights and contentions of the parties are kept open except the question of existence of arbitration clause ;

(e) Application accordingly stands disposed.

(K.R.SHRIRAM,J)