

HIGH COURT OF CHHATTISGARH, BILASPUR**REVP No. 43 of 2017**

- G. V. Rathore S/o Shri V.Rathore, Aged About 85 Years Occupation Business, R/o Dinesh Medical, Station Road, Raipur, Chhattisgarh,

---- Petitioner**Versus**

1. The Managing Director, Chhattisgarh Tourism Board, Paryatan Bhawan, Indra Gandhi Road, Raipur, Chhattisgarh
2. State of C.G., Through Secretary, Chhattisgarh Tourism Department, Mantralaya, Naya Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Siddharth Rathod, Advocate
For Respondent No.1	:	Shri Abhishek Sinha, Advocate
For Respondent/State	:	Shri DR Minj, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/09/2018**

1. The present petition is for review of the order dated 16.01.2017 whereby this Court has appointed Justice R.N. Chandrakar, retired Judge, to act as an arbitrator. It is contended on behalf of the petitioner that Justice R.N. Chandrakar has refused to arbitrate the matter in view of this, the order requires to be reviewed and new arbitrator may be appointed.
2. Learned counsel for the respondent submits that the review is not contemplated in the Arbitration And Conciliation Act, 1996 and another application can be filed

before the Court to appoint the arbitrator without further adherence to the notice contemplated under the Arbitration And Conciliation Act, 1996.

3. Perused the record. Without going into the merits of the case, considering the submission of the parties and in view of the existing circumstances, since the arbitrator, who was appointed, has refused to act the petitioner would be at liberty to file afresh application before the Court under Section 11(6) of The Arbitration And Conciliation Act, 1996 for appointment of arbitrator. With such observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu