

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

MISCELLANEOUS CIVIL APPLICATION NO. 558/2018

(ASHOK MOTIRAMJI THAKUR **VERSUS** M/S BHAVANI STONE INDUSTRIES & OTHERS)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri S.S. Alaspurkar, counsel for applicant.

CORAM : A.S. CHANDURKAR, J.

DATE : SEPTEMBER 19, 2018.

Notice for final disposal of the application was issued on 15.06.2018. Despite service and grant of time, the non-applicants have not chosen to oppose the prayers made in the present application.

Perused the application. As per the Deed of Partnership and especially Clause 13 thereof, there is a clause with regard to referring the dispute to Arbitrator. In the notice that was issued by the applicant herein dated 03.10.2017, they had named one Shri Subhash Talda as an Arbitrator. There was no reply to the aforesaid notice. On 03.08.2018, this Court had directed a statement of disclosure to be obtained from the Arbitrator proposed to be appointed. That statement dated 31.08.2018 has been received and the same does not indicate any disability on the part of said Arbitrator. Accordingly, Shri Subhash Talda is appointed as Arbitrator to resolve the disputes between the parties. The applicant shall deposit process of Rupees Five Thousand. Similarly, Security Deposit of Rupees Twenty Thousand each be deposited by both parties within a period of six weeks. A copy of this order be served on the non-applicant no.1 by the applicant by registered post with acknowledgment and pursis to that effect be placed on record.

Application is allowed in aforesaid terms and disposed
of.

JUDGE

APTE