

IN THE HIGH COURT OF BOMBAY AT GOA

***APPLICATION FOR APPOINTMENT OF ARBITRATOR
NO.15 OF 2018***

Concept Green Builders &
Developers

.....

Applicant

Versus

Naik and Sons

.....

Respondent

Mr. Abhay Nachinolkar, Advocate for the Applicant.

Mr. Devidas J. Pangam and Mr. P. Sawant, Advocates for the Respondent.

Coram : M. S. Sonak, J.

Date : 1st March, 2019

P.C.:

Heard Mr. A. Nachinolkar, learned counsel for the Applicant and Mr. D. Pangam along with Mr. P. Sawant, learned counsel for the Respondent.

2. On 1st February, 2019, the following order was made in this matter.

“1.This is an application under Section 11 of the Arbitration and Conciliation Act, 1996.

2. There is no dispute in the present case that the parties have agreed to refer their disputes to arbitration. In fact, the learned Counsel for the parties suggest that Mr. Pramod Kamat, retired District Judge be appointed as an arbitrator.

3. There is no difficulty in accepting the suggestion made by the learned Counsel for the parties and appointing Mr. Pramod Kamat as an arbitrator to arbitrate upon the disputes which have arisen between the parties.

4. The final appointment can, however, be made once the proposed arbitrator files his statement of disclosure as contemplated in the sixth schedule to the Arbitration and Conciliation Act, 1996.

5. Place this matter for further consideration on 15 February 2019. The learned Counsel for the parties to take steps to serve a copy of this order on the proposed Arbitrator.”

3. In pursuance of the aforesaid order, Mr. P. V. Kamat, retired District Judge has filed the requisite statement of disclosure. Upon consideration of the statement of disclosure, it is apparent that there can be no difficulty in appointing Mr. P. V.

Kamat, retired District Judge as an arbitrator to arbitrate upon the disputes which have arisen between the parties.

4. Accordingly, Mr. P. V. Kamat, retired District Judge is appointed as an arbitrator to arbitrate upon the disputes which have arisen between the parties.

5. The fees of the arbitrator shall be shared equally by both the parties subject no doubt to the final outcome of the arbitration proceedings. No order is made in that regard.

6. This application for appointment of arbitrator is disposed of in the aforesaid terms. There shall be no order as to costs.

7. All concerned to act on the basis of the authenticated copy of this order.

M. S. Sonak, J.

*at**