

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

ARBITRATION PETITION NO. 21152 OF 2019

Rohan Builders LLP, ... Petitioner
 V/s.
Sneha Hill View Development Pvt. Ltd. ... Respondents

Mr. Chirag Mody a/w. Mr. Sridhar Chari i/by DSK Legal, for the
Petitioner.
Mr. Manoj M. Badgujar, for the Respondent.

CORAM : G. S. KULKARNI, J.

DATE : 4th SEPTEMBER, 2019.

P.C.:-

1] Heard learned counsel for petitioner and learned counsel for the respondents. This is a petition filed under section 11 of the Arbitration and Conciliation Act, 1996 whereby petitioner has prayed for appointment of an Arbitral Tribunal for adjudication of disputes and differences between the petitioner and the respondent, which are stated to have arisen under the joint development agreement dated 26 March 2013, alongwith deed of correction dated 4 February 2014. There is no dispute in regard to the Arbitration Agreement between the parties, which is contained in the clause no.14. There is also an invocation of the Arbitration Agreement.

2] Having heard the learned counsel for the parties, in my

opinion as there is no dispute in regard to the existence of the arbitration agreement between the parties as also there is an invocation of the arbitration agreement, it would be appropriate to appoint an Arbitral Tribunal to adjudicate disputes between the parties. Hence, following order :

ORDER

- i) Mr. S. R. Sathe, Former Judge of this Court, is appointed as a sole Arbitrator to arbitrate the disputes and differences between the parties under the agreement for the joint development dated 26th March, 2013.
- ii) The learned prospective sole Arbitrator, fifteen days before entering the arbitration reference, shall forward a statement of disclosure as per the requirement of Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996, to the Registrar (Judicial-I) of this Court, to be placed on record of this petition with a copy to be forwarded to both the parties.
- iii) The fees payable to the arbitral tribunal shall be governed in accordance with the fees prescribed under the Bombay High Court (Fees Payable to Arbitrators) Rules, 2018;
- iv) At the first instance, the parties shall appear before the

prospective Arbitrator within 15 days from today on a date which may be mutually fixed by the prospective sole arbitrator;

- v) All contentions of the parties are expressly kept open.
- vi) The petition is disposed of in the above terms. No costs.
- vii) Office to forward a copy of this order to the learned Arbitrator on the following address.

Address: A-802, Ruturang Apartments,
Behind Paranjape School, Kothrud,
Pune – 411 038
E-mail : shrikantsathe802@gmail.com.
Telephone No. 020-25396407
9702502181

(G.S.Kulkarni, J.)