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

**ARBITRATION PETITION NO.13 OF 2019**

|                                      |               |
|--------------------------------------|---------------|
| Mr.Ashokbhai Jethanand Valani & Anr. | ..Petitioners |
| Vs.                                  |               |
| Mr.Sunil Bhagchand Talereja          | ..Respondent  |

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Mr.Sandeep Sharma i/b.Mr.T.S. Sachdevani for Petitioners.  
Mr.N.V. Bhutekar for Respondent.

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**CORAM : G.S. KULKARNI, J.**

**DATE : 18<sup>th</sup> OCTOBER, 2019**

**P.C.:**

Heard learned Counsel for the parties.

2. This is a petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, “the Act”) whereby the petitioners have prayed for appointment of an arbitral tribunal to adjudicate the disputes and differences which have arisen between the parties under the development agreement dated 30 December 2012

3. After this petition was heard for sometime, Mr.Bhutekar, learned Counsel for the respondent states that his client would not have any objection for appointment of an arbitral tribunal. Learned Counsel for the parties state that the parties agree to appoint a sole arbitrator. The parties also agree that the venue of the arbitration would be at Thane. In view of the consensus between the parties, the petition is required to be allowed. Hence, the following order:-

**ORDER**

- (i) Mr.Sadashiv Deshmukh, (Retd.) District Judge, is appointed as a sole Arbitrator to arbitrate the disputes and differences between the parties under the Agreement for Development dated 30 December 2012;
- (ii) The learned sole prospective arbitrator, 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 Prothonotary & Senior Master of this Court, to be placed on record of this petition with a copy to be forwarded to both the parties;
- (iii) 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;
- (iv) All contentions of the parties on merits of the disputes are expressly kept open;
- (v) The fees payable to the arbitral tribunal shall be in accordance with the Bombay High Court (Fee Payable to the Arbitrators) Rules, 2018;
- (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:

“403, Jupiter, Building No.9 (Gavanndbaugh),  
Pokharan Road 2, Thane (W.) Pin – 400610.  
Mobile No. 9820553525”

**[G.S. KULKARNI, J.]**