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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

COMMERCIAL ARBITRATION APPLICATION (L.) NO.6 OF 2019

M/s.DSM Infocom Pvt. Ltd.	..Applicant
Vs.	
M/s.Mhapsis Limited	..Respondent

Mr.Jeet Gandhi with Ms.Aditi Rungta for Applicant.
Mr.Dnyaneshwar Jadhav i/b. M/s.Legasis Partners for Respondent.

CORAM : G.S. KULKARNI, J.

DATE : 2nd APRIL, 2019

P.C.:

Heard learned Counsel for the applicant and learned Counsel for the respondent.

2. This is an application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short, “the ACA”) whereby the applicant has prayed for appointment of an arbitral tribunal to adjudicate the disputes and differences which are stated to have arisen under the master services agreement dated 6 November 2012.

3. The respondent by their notice dated 11 August 2015 has invoked the agreement and sought appointment of an arbitral tribunal.

4. After this application was heard for sometime, learned Counsel for the respondent on instructions is agreeable that the disputes be referred for arbitration of a sole arbitrator.

5. In view of the consensus between the parties, the application is required to be disposed of. Hence, the following order:-

ORDER

- (i) Mr.Atul Daga, Advocate of this Court, is appointed as a sole Arbitrator to arbitrate the disputes and differences between the parties under the master services agreement dated 6 November 2012;
- (ii) The learned sole prospective 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 Prothonotary & Senior Master of this Court, to be placed on record of this application 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 matter are expressly kept open;

- (vi) The application 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: 206, Commerce House, 140, Nagindas Master Road,
Fort, Mumbai.

Contact No. 9819044756.

[G.S. KULKARNI, J.]