

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

ARBITRATION PETITION NO. 26 OF 2020

Baldeo Prasad Taparia & Anr. ...Petitioners

Vs.

SKF India Limited ...Respondent

Mr. Owen Menezes, counsel with Mr. Kushagra Shah i/b Mr. D. B. Pereira, Advocates for Petitioners.

Mr. Abhishek Chitnis with Ms. Niyati Shah, Advocates for Respondent.

CORAM : G.S. KULKARNI, J.

DATE : 12 MARCH 2020

P. C.

1. This is a petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') whereby the petitioner has prayed for appointment of an arbitral tribunal to adjudicate the disputes and differences between the parties, which are stated to have arisen under the **"Authorised Industrial Distributorship Agreement dated 8 December 2017"**. The arbitration agreement between the parties is contained in clause 24 of the said agreement.

2. After the parties are heard on this petition for some time, learned counsel for the respondent, on instructions, are agreeable for appointment of an arbitral tribunal for adjudicating the disputes and differences between the parties.

3. In view of the consensus between the parties, the petition is required to be allowed and disposed off. Hence, the following order:

ORDER

- i) Mr. Justice Shrihari P. Davare, Former judge of this court is appointed as Sole Arbitrator to adjudicate the disputes and differences between the parties arises under the Authorised Industrial Distributor Agreement dated 8 December 2017.
- ii) The learned prospective Sole Arbitrator, fifteen days before entering the arbitration reference, to 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 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 as per the Bombay High Court (Fees Payable to Arbitrators) Rules, 2018;
- iv) At the first instance, the parties shall appear before the prospective arbitrator within 10 days from today or on a date which may be mutually fixed by the prospective sole arbitrator;
- v) The arbitrator shall make an endeavor to adjudicate the disputes between the parties within the time limit as provided under Section 29(A) of the Act.
- vi) All contentions of the parties are expressly kept open;
- vii) The petition is disposed of in the above terms. No costs.

viii) Office to forward a copy of this order to the learned Arbitrator,
at the following address:-

Justice Shrihari P. Davare (Former Judge)
Flat No. 1001, "C' Wing, Relicon Felicia Society,
Baner-Pashan Link Road, Pashan, Pune-411021.
Phone 8208029808 Mobile-99238 23838.

[G.S. KULKARNI, J.]