

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

ARBITRATION PETITION NO. 10 OF 2018

M/s Agra Road Motor Services & Anr. ...Petitioners

Vs.

The Hindustan Petroleum Corp. Ltd. ...Respondent

Mr. P. A. Pol with Mr. Rajesh Darvesh i/b Pol Legal Juris, Advocates for
Petitioners.

Mr. S.R. Page, Advocate 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 petitioners have prayed for appointment of an arbitral tribunal to adjudicate the disputes and differences between the parties which are stated to have arisen under the Petrol/Diesel Dealer Agreement dated 27 March 2012. The arbitration agreement is contained in Clause 66 of the said agreement.

2. After the parties are heard on this petition for some time, learned counsel for the respondent, on instructions, would submit that respondent has no objection for an appointment of arbitral tribunal.

3. In view of the consensus between the parties, the petition is required to dispose off. Hence, the following order:

ORDER

- i) Mr. Aseem Naphde, advocate of this court is appointed as Sole Arbitrator to adjudicate the disputes and differences between the parties arises under the Petrol/Diesel Dealer Agreement dated 27 March 2012.
- 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 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) The fees payable to the arbitral tribunal shall be governed by the provisions 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 10 days from today or 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.

[G.S. KULKARNI, J.]