

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

MISC. CIVIL APPLICATION (ARBN) NO. 317 OF 2019

(Shri Ramdeobaba Charitable Society, Akola ..vs.. Municipal Council, Sindi and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.S. Sarda, Counsel for the applicant,
Mr. R.N. Deshpande, Counsel for non-applicant 1,
Mr. P.N. Rawlani, Counsel for non-applicant 2.

CORAM : ROHIT B. DEO, J.

DATED : 16-12-2020

Non applicant 2-Maharashtra Housing & Area Development Authority (MHADA), which is named as the sole arbitrator in the arbitration agreement dated 03-10-2017, apparently without consent has declined to accept the assignment.

2. In this view of the matter, and considering that the parties are *ad idem*, the dispute can be referred to the arbitrator.

3. Mr. Arun Bapurao Mogarkar, Deputy Engineer (Retired) from Nagpur Municipal Corporation, Nagpur, resident of Plot No.205, Lendra Park, Near Nandji Baba Mandir, Ramdaspath, Nagpur-440010 is appointed as the sole Arbitrator in terms of the agreement dated 03-10-2017.

4. The registry shall request the learned Arbitrator to forward the disclosure statement and the consent, and

after receipt thereof and deposit of necessary charges,
writ of appointment shall be issued.

JUDGE

adgokar