

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

35 ARBITRATION APPLICATION NO.7 OF 2021

BORSE BROTHERS ENGINEERS AND CONTRACTOR PVT LTD THR
DIRECTOR AND AUTHORIZED SIGNATORY J B SONAWANE
VERSUS
THE DHULE MUNICIPAL CORPORATION THR ITS COMMISSIONER
DHULE

...
Advocate for Applicants : Amol K Gawali
Advocate for Respondent : Mr. A. V. Hon

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CORAM : AVINASH G. GHAROTE, J.

DATED : 19th JULY, 2021.

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PER COURT :

1. Heard Mr. Gawali, learned counsel for the applicant and Mr. Hon, learned counsel for the respondent. There is no dispute between the parties regarding execution of the work order dated 24/02/2014 and the arbitration clause in the agreement dated 2nd September, 2013 vide clause no.19, at record page 39 (40) and its invocation on account of a dispute between them. The parties are also agreeable to appointment of Shri R. W. Nikum (Retired Chief Engineer) Water Resource Department, Government of Maharashtra, resident of Building No.7, Flat No.3, Patil Park, opposite Vasant Market, Canada Corner, Nashik -422005, who according to the parties, has

consented to act as an arbitrator. The arbitration clause, mentions that the place of the arbitration shall be Regional Headquarters, Commissioner, Dhule Municipal Corporation.

2. In view of the above consent expressed by the parties, Shri. R. W. Nikum, named above, is appointed as a sole arbitrator to arbitrate the disputes between the parties. The place of arbitration shall be the office of the Municipal Corporation, Dhule and an appropriate arrangement be made for the same.

3. Fees of the arbitrator, shall be as per the 4th Schedule of the A & C Act, 1996.

4. Parties undertake to appear before the sole arbitrator on 30/07/2021.

5. Application is accordingly disposed of.

(AVINASH G. GHAROTE, J.)

vsm/-