

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

ARBITRATION PETITION NO.57 OF 2020

Super Highway Labs Private Limited .. Petitioner

v/s.

Augustus Healthcare India Private Limited .. Respondent

Mr. Dinesh Bhatia a/w Aparna Vyas i/b. Pan India Legal Services LLP for the petitioner.

Mr. Smit Shah a/w Geeta Lundwani for the respondent.

CORAM : A. K. MENON, J.

DATED : 17TH MARCH, 2021.

P.C. :

1. The learned counsel for the parties state that they are now agreeable to refer the matter to Sole Arbitrator. However, on behalf of the petitioner, it is stated that inadvertently the name of the respondent is incorrectly described in the petition. He seeks leave to amend.
2. Leave granted to correct the name of “Augustus Healthcare India Private Limited” to “Augustus Healthcare India LLP”.
3. Amendment to be carried out forthwith. Re-verification dispensed with.

Kept back.

Later on

4. By this petition, the petitioner seeks an appointment of a Sole Arbitrator to adjudicate upon the disputes that have arisen between the parties under Transport Services Agreement dated 22nd April, 2019 copy of which is at Exhibit "A" to this petition. Clause 15 of agreement records the Arbitration Agreement and provide for appointment of a Sole Arbitrator to adjudicate disputes. It is in pursuance to this clause, the petitioner has filed the present petition.
5. The learned counsel on behalf of the respondent submits that they are willing to refer disputes to a sole arbitrator and accordingly, by consent, the learned counsel for the parties today seek appointment of a Sole Arbitrator.
6. In view thereof, I pass the following order :-
 - (i) By consent, Mr. Dharam Juman, Advocate, Gundecha Chambers, Nagindas Master Rd, Kala Ghoda, Fort, Mumbai-400001, is appointed as Sole Arbitrator to adjudicate upon claims and counter claims, if any,

- (ii) The learned Arbitrator is requested to file his disclosure statement under Section 11(8) and Section 12(1) within two weeks from today with the Registrar (Judicial-I) and provide copies to the parties.
- (iii) The Arbitrator is requested to convene a preliminary meeting at his earliest convenience.
- (iv) Parties to appear before the Sole Arbitrator on a date to be fixed by him.
- (v) Fees payable to the Sole Arbitrator will be in accordance with the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.
- (vi) Arbitration Petition is disposed in the above terms.
- (vii) No costs.

(A. K. MENON, J.)