

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 91 OF 2021

M/s. SRK Fashion

...Petitioner

Versus

Crystal Knitters Private Limited

...Respondent

Mr. Milind M. Sathaye for the Petitioner.

Mr. S. Kanagorai for the Respondent.

CORAM : R.I. CHAGLA J

DATE : 21 October 2021

ORDER :

1. Heard learned Counsel for the parties.
2. By an order dated 11th October 2021, this Court had made reference to the prior order dated 22nd March 2021 passed in the Petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 and by which this Court had appointed Shri. S.C. Magare as the sole arbitrator and that too by consent of the parties.

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3. This Court in the order dated 11th October 2021 noted that the sole arbitrator Mr. S.C. Magare has been appointed for judicial duties and that upon his request, he is being discharged as sole arbitrator.

4. In view thereof, a sole arbitrator will be required to be appointed in place and stead of Mr. S.C. Magare. From the list of arbitrator on the panel of this Court, the name of Mr. Umakant Mahadevrao Kawale is shown as residing at Nashik. Parties have no objection to appoint Mr. Umakant Mahadevrao Kawale as arbitrator.

5. The contention of the learned Counsel for the Respondent that Franchisor has to appoint the arbitrator cannot be accepted, in view of the order dated 22nd March 2021 which had recorded that Mr. S.C. Magare is appointed by consent of parties.

6. In view thereof, Mr. Umakant Mahadevrao Kawale is appointed as sole arbitrator to adjudicate the disputes between the parties.

7. Arbitration Petition No. 91 of 2020 is accordingly disposed of.

[R.I. CHAGLA J.]