

to be appointed as Sole Arbitrator to adjudicate the dispute between the Petitioner and the Respondent.

3 The learned Counsel for the Petitioner and the Respondent jointly requests for the prayer to be granted in view of the demise of sole arbitrator Shri Pradip V. Bavkar, who expired on 12.03.2021 and the subsequent arbitrator Shri B.A. Shelar, who is appointed as Sole Arbitrator had issued a letter to the learned Advocate for the Petitioner showing his inability to act as arbitrator. Shri M.Y. Mankar, City Civil and Sessions Judge (Retired) has consented to acting as Sole Arbitrator and communicated the same to the learned Advocate for the Petitioner.

4 In view of the Petitioner and Respondent having mutually agreed to appoint Shri M.Y. Mankar, City Civil and Sessions Judge (Retired) as Sole Arbitrator, it would be appropriate to grant the prayer sought for in the Arbitration Petition. Hence, the following order :

- i) Shri M.Y. Mankar, City Civil and Sessions Judge (Retired) having office at 602/C, Savla Chambers, 40, Cawasjee Patel Street, Fort, Mumbai 400 001, is appointed as Sole Arbitrator to adjudicate the dispute between the Petitioner and the Respondent.

ii) The Sole Arbitrator appointed, shall consider whether to proceed from the stage of cross-examination of the Respondent- Bank as that is the stage reached in the arbitration proceedings. have proceeded to.

iii) The Arbitration Petition is accordingly disposed of.

(R.I. CHAGLA, J.)

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