

Vinita

IN THE HIGH COURT OF BOMBAY AT GOA.

APPLICATION FOR APPOINTMENT OF ARBITRATOR

NO.3 OF 2021

YUNCA MACHINERY MANU-
FACTURING PVT. LTD., THR. ITS AUT.
REP., MAHESH UPADHYE ...Applicant.

VS
VARNADA INDUSTRIES PVT. LTD.,
THR. ITS AUT. REP., SHRIDHARAYYA
MARICAPU ...Respondent.

Mr. V. Salatry, Advocate for the applicant.
Mr. P. Shirodkar, Advocate for the respondent.

CORAM: MANISH PITALE, J.

Date: 26th FEBRUARY, 2022

P.C.

This is an application under Section 11 (4) and (5) of the Arbitration and Conciliation Act, 1996. The learned counsel appearing for the applicant points out that there are leave and license agreements executed between the parties. Although the possession of the premises was handed over to the applicant, the dispute between the parties remained about payment of alleged arrears of license fees.

2. It is an admitted position that in both the leave and license agreements there is an arbitration clause. In fact, the applicant had issued notice dated 26.9.2020 to the respondent for the

appointment of arbitrator but, there was no response from the respondent. Upon notice being issued in this application, the respondent has appeared through Counsel and it is stated, on instructions, that parties would be agreeable for the appointment of Mr. Vishnuprasad A. Lawande, learned Advocate as the sole arbitrator.

3. In view of the above, the present application is allowed by appointing Mr. Vishnuprasad A. Lawande, learned Advocate as the sole arbitrator.

4. Parties shall appear before the learned arbitrator on 24.3.2022.

5. Application stands disposed of.

MANISH PITALE J.