

Andreza

**IN THE HIGH COURT OF BOMBAY AT GOA**

**APPLN. FOR APPOINTMENT OF ARBITRATOR NO. 11 OF 2022**

Sesa Resources Limited Thr. Its Auth Sign. ... Applicant

Dhirajkumar Namdeo Jagdish

*Versus*

Minescape Minerals Pvt. Ltd.

...Respondent

**Mr. A. Gosavi, Advocate for the Applicant.**

**Mr. Nikhil Vaze and Mr. A. Kunde, Advocates for the respondent.**

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**CORAM. G. S. KULKARNI, J**

**DATED: 22 September, 2022**

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**ORAL ORDER**

**1.** This is an application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, "the Act"), whereby the Applicant has prayed for appointment of an arbitral tribunal to adjudicate the disputes and differences between the parties, which have arisen under an agreement dated 17 June 2014. The arbitration agreement between the parties is contained in Clause 14 of the Agreement. There is no dispute in regard to existence of an Arbitration Agreement between the parties. There is a lawful invocation of the Arbitration Agreement.

**2.** Learned Counsel for the Respondent has fairly stated that his client has no objection for appointment of an arbitral tribunal.

3. In view of the consensus as noted above and as the requirements under Section 11 of the said Act for this Court to exercise jurisdiction are imminently present, this application praying for appointment of Arbitrator is required to be allowed. Hence, the following Order :

**ORDER**

(i) *Mr. Pramod Kamat, Retired District Judge is appointed as a sole Arbitrator to adjudicate the disputes between the parties which have arisen under the Agreement dated 17 June 2014.*

(ii) *The learned sole Arbitrator, before entering the arbitration reference, shall make a declaration under Section 11(8) read with Section 12(1) of the said Act to be placed on record of the present proceedings and furnish a copy thereof to the parties.*

(iii) *The parties are directed to appear before the learned Arbitrator within a period of 15 days from today on a date which may be mutually convenient and as may be fixed by the learned sole Arbitrator.*

(iv) *The fees of the arbitral tribunal shall be governed by Schedule IV of the Act.*

(v) *All contentions of the parties on merits are expressly kept open.*

4. A copy of the said order shall also be forwarded to the learned Arbitrator to the following address :

*Residence : Sai Nandan, near Orchard Avenue,  
Bamon Bhat, Mercedes, Goa.*

*Office : G-H, Pelican Apartment, Altinho Road,  
near Panaji Church Square, Panaji-Goa, 403001.*

5. The application is disposed of in the above terms. No costs.

**G. S. KULKARNI, J**

ANDREZA  
PEREIRA

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PEREIRA  
Date: 2022.09.27 12:11:23 +05'30'