

Sau. Neeta Shrirang Kelkar ...Petitioner
Vs.
Sau. Sundar Sagar Vankore and Anr. ...Respondents

CORAM : MANISH PITALE, J.
DATE : 20 DECEMBER 2022

By this petition, filed under Section 11 of the Arbitration and Conciliation Act, 1996, the petitioner is seeking appointment of arbitrator in the context of the two lease agreements, both dated 26/4/2004 executed between the parties. Both the agreements contain an identical arbitration clause, whereby the parties agreed that disputes that may arise between them would be resolved by appointment of arbitrator.

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when the respondents denied appointment of arbitrator and the procedure agreed between the parties failed, the petitioner was constrained to file the present petition.

3. This Court is convinced that in the face of the said arbitration clause in both the agreements and disputes that arose between the parties and invocation of arbitration clause on behalf of the petitioner, this Court can exercise jurisdiction to appoint the sole arbitrator.

4. The learned counsel for the parties jointly proposed appointment of Shri. Kundalik Dattatraya Patil, as a sole arbitrator. The details of learned arbitrator are as follows:

5. The details of the learned arbitrator are as follows:

Shri. Kundalik Dattatraya Patil

Chougale Galli, Kasaba, Bavada,

Kolhapur – 416 006.

Mobile No. 9326193731

Email : kundalikpatil@gmail.com

6. The learned arbitrator is requested to send his consent and disclosure statement as per Section 11(8) and 12(1) of the aforesaid Act, within four weeks to the Registrar (Judicial) of this Court. The fees of the learned arbitrator shall be as per schedule

IV to the said Act.

7. The parties to communicate this order to the learned arbitrator immediately.

8. All contentions of the parties are kept open.

9. The petition stands disposed of, in aforesaid terms.

MANISH PITALE, J.