

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 84 OF 2021

Bultron Enterprises

...Petitioner

Versus

M/s. Lush Life Properties LL.P.

...Respondent

Mr. Suhas Rohile for the Petitioner.

Mr. Ajinkya Udane for the Respondent.

CORAM : R.I. CHAGLA J

DATE : 25 March 2022

ORDER :

1. Heard the learned Counsel for the parties.
2. By this Petition, the Petitioner is seeking appointment of Sole Arbitrator to adjudicate the dispute between the Petitioner and the Respondent arising out of the Agreement/MoU and the Work Orders dated 1st July 2018 and 1st July 2019.
3. It is an undisputed position that there is an

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Arbitration Agreement between the parties under Clause 14 of the Work Order dated 1st July 2019. The Arbitrator is to be appointed mutually by both parties.

4. The Petitioner has invoked the Arbitration Petition by Notice dated 17th February 2021 which is at Exh.C to the Petition. It is stated therein that the dispute be referred to a Sole Arbitrator appointed by the Petitioner. The contents of the said Notice invoking arbitration has been denied by the Respondent.

5. Having considered the averments made in the Arbitration Petition and noting the fact that there is an Arbitration Agreement under Clause 14 of the said Work Order, it would be appropriate to appoint a Sole Arbitrator.

6. Accordingly, I pass the following order:-

- (i) Mr. Yuvraj Narvankar, Advocate is appointed as a Sole Arbitrator to adjudicate the disputes between the parties arising out of the Agreement/MoU and the

Work Orders dated 1th July 2018 and 1st July 2019.

- (ii) The venue of arbitration shall be in Pune.
- (iii) Office to inform the Sole Arbitrator regarding appointment.
- (iv) The Sole Arbitrator is requested to file the Disclosure Affidavit of Arbitration under Section 11(8)(i) of the Arbitration and Conciliation Act, 1996 within a period of three weeks from the date of receipt of the notice issued by the Registrar Judicial-I and provide copies to the parties.
- (v) Parties to appear before the Sole Arbitrator on the date fixed.
- (vi) Fees of the Sole Arbitrator will be payable in accordance with the Bombay High Court (O.S.) Rules, 2018.

(vii) Arbitration Petition is disposed of in the above terms.

(viii) No costs.

[R.I. CHAGLA J.]