

2. In view of the disputes that arose between the parties, the petitioner invoked the arbitration clause by issuing notice dated 5th May, 2022, but, there was no response from the respondent, necessitating filing of the instant petition.

3. Upon the respondent appearing in the present petition, a preliminary objection was raised on the ground that the contract agreement was not adequately stamped. Hence, this Court had adjourned the matter for final disposal.

4. In the meanwhile, learned counsel for the petitioner informs this Court that the agreement was presented before the Collector of Stamps for adjudication. Appropriate order was passed thereupon and as on today, the petitioner paid the deficit stamp duty, as determined by the office of the Collector of Stamps. A copy of the certificate issued by the office of the Collector of Stamps is handed over and the same is taken on record and marked 'X'. In view of the above, the preliminary objection no longer survives.

5. This Court is convinced that there are indeed disputes between the parties and the matter needs to be sent to an arbitrator. Learned counsel for the rival parties have agreed upon the appointment of Mr. Vaibhav Charalwar to be the sole arbitrator for resolution of disputes between the parties.

6. In view of the above, Advocate Mr. Vaibhav Charalwar is appointed as sole arbitrator. Details of the learned arbitrator are as follows:-

Advocate Mr. Vaibhav Charalwar

3rd floor, Oval House,
(C/o. Chamber of Dr. Birendra Saraf, Senior Advocate),
British Hotel Lane,
Nagindas Master Road,
Opp. Commerce House,
Fort, Mumbai-400001.
Mob. No.: 98205 12260

7. Parties undertake to inform the learned arbitrator about the order passed today, at the earliest.
8. The learned arbitrator is requested to submit his consent and disclosure statement in terms of Sections 11(8) and 12(1) of the aforesaid Act within four weeks from today to the Registrar (Judicial) of this Court. The fees of the learned arbitrator shall be in terms of Fourth Schedule of the said Act.
9. All questions are left open to be decided by the learned arbitrator.
10. Petition stands disposed of in above terms.

(MANISH PITALE, J)

Priya Kambli