

dated 28th July, 2022, issued on behalf of the petitioner to the respondents. But, the appointment of the arbitrator could not come through, due to disagreements between the parties. In this backdrop, the present petition came to be filed.

4. On 21st September, 2022, this Court issued notice in the present petition. Office note shows that the notice was duly served on the respondents. Despite service, there is no representation on behalf of the respondents.

5. This Court has perused the material placed on record. The agreements in question indeed contain the arbitration clause identical in nature. The petitioner did invoke the said arbitration clause, in the light of disputes arising between the parties. Invocation of the arbitration clause did not lead to appointment of an arbitrator, as per the agreed procedure. Therefore, this Court is satisfied that the present petition deserves to be considered.

6. The learned counsel for the petitioner has indicated the extent of claims raised on behalf of the petitioner against the respondents. As noted above, the arbitration clause specifies Pune as the place of arbitration.

7. In view of the above, Mr. M. K. Haridas Nair, Advocate, available at Pune is appointed as the sole arbitrator. Details of the learned arbitrator are as follows:-

Mr. M. K. Haridas Nair,
213, 2nd floor, A Wing,
Jai Ganesh Vision,
Off. Mumbai-Pune Road,
Akurdi, Pune-411 035.
Tel. (Office) : 020-2724 9062
Residence: 020-2765 2727
Mob.:9766 708369

8. The petitioner shall inform the learned arbitrator immediately about the order passed today.
9. 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.
10. All questions are left open to be decided by the learned arbitrator.
11. Petition stands disposed of in above terms.

(MANISH PITALE, J)

Priya Kambli