

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

ARBITRATION PETITION NO. 136 OF 2021

Matrix Cellular International Services Ltd. ...Petitioner

Versus

Amdocs Development Centre India LLP ...Respondent

* * *

- Ms. Vibha Joshi i/by Zunjarrao & Co., for Petitioner.
- Mrs. Rajalakshmy Mohandas, Mrs. Rubi R. Vishwakarma and Ms. Md. Nehal F. Azam i/by Rajalakshmy Associates, for Respondent.

* * *

CORAM : MANISH PITALE, J

DATE : 14TH DECEMBER, 2022.

P. C. :

1. This petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996, for appointment of Arbitrator in the context of a Memorandum of Understanding containing Arbitration Clause for dispute resolution between the parties.

2. The petitioner invoked the Arbitration Clause, while issuing notice dated 26th August, 2021, and also nominated an Arbitrator. The Respondent did not accept the proposal, due to which, the petitioner was constrained to approach this Court.

3. The Arbitration Clause reads as follows.

“Dispute Resolution

1. *All or any dispute / misunderstanding between the parties arising out of or in relation to this Agreement shall be settled in accordance with the provisions of*

Arbitration and Conciliation Act, 1996 and any subsequent modification thereto. Such dispute shall be referred to sole arbitrator, appointed by MCIS. The language of Arbitration shall be English. The arbitral award shall be final and binding on both the parties to this Agreement. The venue of arbitration proceedings shall be at Pune alone.”

4. Upon notice being served on the Respondent, he appeared through Counsel.

5. Since the Arbitration Clause specifies the place of Arbitration as Pune, the learned Counsel for the rival parties, on instructions, have agreed on appointment of Justice R. M. Bapat, former Judge of this Court as the sole Arbitrator.

6. Accordingly, Justice R. M. Bapat, former Judge of this Court is appointed as the sole Arbitrator. The details of the learned Arbitrator are as follows :

Justice R. M. Bapat,

ISHAVASYA, Plot No. 8, Alankar Society, Karve Nagar,

Pune - 411 052. Tel. : 020 - 25458877

Mob. No. 9822496045

7. The learned Counsel for the parties undertakes to inform the learned Arbitrator immediately about the order passed today.

8. The learned Arbitrator is requested to communicate his

consent and Disclosure Statement as per Section 11(8) r/w Section 12(1) of the Aforesaid Act, within four weeks to the Registrar (Judicial) of this Court.

9. The fees of the learned Arbitrator shall be as per Schedule IV to the Act.

10. All questions are kept open.

11. The petition stands disposed of.

(MANISH PITALE, J.)