

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

MISC. CIVIL APPLICATION [ARBN NO. 311 OF 2022.]

Shri R.Rama Prasad.

-VERSUS-

M/s. Bharat Heavy Electricals Limited.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr.Y.D. Nagpure, Advocate for the Applicant.

Mr.S.G. Deshpande, Advocate for the Non-applicant.

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CORAM : VINAY JOSHI, J.

DATE : SEPTEMBER 08, 2022

Heard.

2. This is an application filed under Section 11 of the Arbitration and Conciliation Act for appointment of an Arbitrator. The learned Counsel for the applicant took me through the arbitration clause no. 2.21.1 contained in the general conditions of contract, and a notice dated 05.04.2022 by which the arbitration clause has been invoked.

3. The other side has no dispute about

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existence of the arbitration clause and the live dispute in between the parties. Inasmuch as the learned Counsel appearing for the sole non-applicant conceded to appoint arbitrator as prayed. Both the learned counsel jointly suggested name of Mr. Justice A.B. Chaudhari, (Former Judge), to be appointed as an sole Arbitrator.

4. Accordingly Mr. Justice A.B. Chaudhari, (Former Judge), is appointed as Sole Arbitrator. It is made clear that the objections sought to be raised on behalf of non-applicant are kept open to be raised before the learned Arbitrator.

5. Registry is directed to request the learned Arbitrator for consent letter and for disclosure statement as per the provisions of the Arbitration Act.

JUDGE