

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION (ARBITRATION) NO. 265/2022

(M/s. Ambey Mining Pvt. Ltd. Vs. Western Coalfields Limited)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H. N. Verma, Advocate for applicant.
Mr. N. G. Moharir, Advocate for respondent-sole.

CORAM : VINAY JOSHI, J.
DATED : 15/12/2022.

Heard.

2. This is an application seeking appointment of sole Arbitrator. The matter arises out of service contract/work. The tender document bears a clause pertaining to settlement of dispute by the Civil Court. However, the terms of contract were modified by circular dated 07.04.2017, by which the parties have agreed to settle the dispute by way of appointing Arbitrator. There appears to be arbitral dispute, for which the parties are in agreement.

3. Both learned counsel have jointly suggested The name of Former Chief Justice B. P. Dharmadhikari as a sole Arbitrator.

4. Accordingly, Misc. Civil Application is allowed and disposed of by appointing Former Chief Justice B.P. Dharmadhikari, as a sole Arbitrator. It is made clear that all objections sought to be raised on behalf of the non-applicant, are kept open, may be raised before the learned Arbitrator.

7. The Registry is directed to request the learned Arbitrator for consent letter and for disclosure statement as per the provisions of the the Arbitration And Conciliation Act, 1996.

(VINAY JOSHI, J.)

Gohane

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signed by
JITENDRA
BHARAT
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