

Meena

IN THE HIGH COURT OF BOMBAY AT GOA

APPLN. FOR APPOINTMENT OF ARBITRATOR NO.9 OF 2023

ROHAN KHAUNTE

... APPLICANT

Versus

GLOBAL INFRA REP BY PARTNER SATISH

PENUMARTHI

... RESPONDENT

Mr. Y.V. Nadkarni and Ms. Simran Khadilkar, Advocates for the applicant.

Mr. Praveen Bonkuri, Advocate for the respondent.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 29th November, 2023

P.C.:

1. Heard Mr. Y.V. Nadkarni and Ms. Simran Khadilkar, learned Counsel for the applicant and Mr. Praveen Bonkuri, learned Counsel for the respondent.

2. By the present application, the applicant is praying for the appointment of a sole arbitrator to adjudicate the dispute with regard to the Work Order dated 18/11/2021.

3. There is no dispute with regard to the arbitration clause which is found at clause No.8 of the Work Order dated 18/11/2021. The applicant vide his letter dated 03/07/2023 sought time of 30 days to reply to such notice.

4. Thereafter there is no communication from the respondent with regard to the appointment of sole arbitrator, hence, the applicant approached this Court.

5. Mr. Praveen Bonkuri, appearing for the respondent would submit that the respondent does not have any objection for the appointment of the arbitrator. However, he prays that any retired Judicial Officer be appointed as arbitrator. Mr. Nadkarni is also having no objection with regard to such a suggestion.

6. Since the Work Order dated 18/11/2021 refers to clause 8 wherein a dispute between the parties needs to be settled in accordance with the Arbitration and Conciliation Act, 1996, the application could be allowed.

7. Mr. P.V. Sawaikar, learned District Judge (Retired) is hereby appointed as sole arbitrator to decide the dispute between the parties.

8. The compliance of Section 11(8) shall be complied with. Accordingly, the learned arbitrator be intimate.

9. The application stands disposed of in the above terms.

BHARAT P. DESHPANDE, J.