

M/s. S. G. Enterprises thr. its partners Swanand G. Joshi and Dhanashree S. Joshi Vs. Union of India		Petitioner Respondent
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Smt. Shehnaz V. Bharucha a/w. Ms. Vaishali Chaudary i/b. A. A. Ansari for Respondents.

CORAM : MANISH PITALE, J.
DATE : MARCH 21, 2023

P.C. :

The petitioner has approached this Court under Section 11 of the Arbitration and Conciliation Act, 1996 for appointment of arbitrator.

2. The petitioner was engaged by the respondent as per contract bearing No.CE(NW) KOCHI/LON/13 of 2017-18 for the purpose of 'special repairs to swimming pool at INS Shivaji, Lonavala'. The contract between the parties was governed by the General Conditions of Contract, which contained an arbitration clause.

3. According to the petitioner, the work was completed and disputes arose between the parties. Consequently, on 20.08.2022, the petitioner invoked the arbitration clause. In response, on behalf of the respondent, on 19.11.2022, a letter was addressed to the petitioner claiming that since the work was not satisfactorily completed, the stage of appointing an arbitrator had not arrived.

4. In this petition, the respondent has entered appearance through counsel. On instructions, learned counsel for the parties submit that Mr.Satish Chander, a retired Additional Director General of Military

Engineering Service can be appointed as the sole arbitrator.

5. Accordingly, Mr. Satish Chander, a retired Additional Director General of Military Engineer Service is appointed as the sole arbitrator. The details of the learned arbitrator are as follows:-

Mr. Satish Chander

A1/601, Windsor Avenue,
Near Ruby Hall Clinic, Wanowrie,
Pune 411 022.
Email id: satishchander.adg@gmail.com

6. The parties shall communicate this order to the learned arbitrator immediately.

7. Learned Arbitrator is requested to communicate his consent and disclosure statement in terms of Section 11(8) and 12(1) of the Arbitration and Conciliation Act, 1996 to the Registrar (Judicial) of this Court, within four weeks from today.

8. All questions are kept open.

9. The petition stands disposed of.

(MANISH PITALE, J.)

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