

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION PETITION NO. 203 OF 2022**

Lal Nathirlal Aswani and another ... Petitioners

vs.

Daulat Nagar Co-op. Hsg. Soc. Ltd., Through Secretary ... Respondent

Mr. Dilip Lal Aswani, in-person for petitioners.

Mr. Mandar Limaye for respondent.

CORAM : MANISH PITALE, J

DATE : 18th APRIL, 2023

PRIYA
KAMBLI
Digitally
signed by
PRIYA KAMBLI
Date:
2023.04.20
11:16:51
+0530

P.C. :

. By a separate order, passed in Arbitration Petition No.202/2022, the said petition has been disposed of, by appointing a retired District Judge as the sole arbitrator.

2. In the present petition also, the disputes are about the same subject matter, pertaining to an agreement dated 14th July, 1970, executed between the parties.

3. Mr. Dilip Lal Aswani holds Power of Attorney to represent the petitioner herein, who is the father. A copy of the Power of Attorney is already taken on record in Arbitration Petition No.202/2022.

4. This Court finds that the nature of disputes being identical and there being invocation of arbitration clause by issuing notice dated 4th February, 2022, there cannot be any impediment in passing a similar order, as has been passed in Arbitration Petition No.202/2022.

5. The parties have agreed for appointment of Mr. Dilip Ganpatrao Murumkar, retired District Judge available at Thane, as the sole arbitrator for resolution of disputes between the parties.

6. Accordingly, Mr. Dilip Ganpatrao Murumkar, retired District Judge, is appointed as the sole arbitrator. The details of the learned arbitrator are as follows:

Shree Shreeji Dham, B/2, A/2,
Behind Raghukul CHS, Parsik Nagar,
Kharegaon, Kalwa West,
Thane-400 605.
Mob.: 9892 43 93 94
E-mail: dmurumkar@gmail.com

7. The parties undertake to inform the learned arbitrator about the order passed today, at the earliest.

8. The learned arbitrator is requested to submit his consent and disclosure statement in terms of Sections 11(8) and 12(1) of the aforesaid Act within four weeks from today to the Registrar (Judicial) of this Court. The fees of the learned arbitrator shall be as per the Fourth Schedule to the said Act.

9. All questions are left open for determination by the learned arbitrator.

10. The petition stands disposed of.

(MANISH PITALE, J)