

K.S. Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

ARBITRATION PETITION NO.5 OF 2022

Bharat Mithalal Nagori & Anr.,

...Petitioners

Versus

Hasmukh Babulal Jain & Ors.,

...Respondent

Mr. Anand S. Patil, Advocate for Petitioner.

Mr. Sachion S. Gite, Advocate for Respondent.

CORAM : R.I. CHAGLA, J.

DATE : 2ND AUGUST, 2023.

ORDER :

1. By this Arbitration Petition, the Petitioner is seeking appointment of the Sole Arbitrator in terms of Section 11 of the Arbitration and Conciliation Act, 1996 to adjudicate upon the dispute between the Petitioner and Respondent as per Arbitration Agreement under Clause 19 of the Partnership Deed dated 28th March, 2007.

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2. The Petitioner and Respondent are agreeable for appointment of Sole Arbitrator from the Panel of Arbitrators, Appellate Side as per Circular dated 27th March, 2023.

3. In view thereof, the following order is passed :

- (i) Dr. Ujwala Sunil Shinde, the Advocate of this Court is appointed as Sole Arbitrator to resolve the dispute between the Petitioner and Respondent as per Clause 19 of the Partnership Deed dated 28th March, 2007.
- (ii) The venue of arbitration shall be at Pune.
- (iii) The office to inform the Sole Arbitrator of her appointment.
- (iv) The appointed Sole Arbitrator is requested to file her disclosure statement under Section 11(8) and 12(1) of the Arbitration and Conciliation Act, 1996 within a period of three weeks from the date of receipt of intimation, with the Registrar (Judicial-I) and provide copies to the parties.
- (v) Parties to appear before the Sole Arbitrator on the date fixed by her.
- (vi) Fee applicable to the Sole Arbitrator will be in accordance with the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.

(vii) Arbitration Petition is disposed of in the above terms.

(viii) No costs.

[R.I. CHAGLA, J.]