

jsn

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO.205 OF 2023

Solitaire Constructions Pvt. Ltd.

...Petitioner

Versus

Krishnae Infrastructure Pvt. Ltd. & Anr.

...Respondents

Ms. Neha Wadekar for the Petitioner.

Uzair Z. Kazi i/b. YMK Legal for the Respondents.

CORAM : R.I. CHAGLA J

DATE : 8TH NOVEMBER, 2023

ORDER :

1. By this Arbitration Petition, the Petitioner is seeking appointment of Sole Arbitrator in terms of unnumbered clause (after clause no.12) of the Memorandum of Understanding dated 25th January, 2019 to adjudicate the disputes between the parties as per provisions of Section 11(6) of the Arbitration and Conciliation Act, 1996.

2. The learned Counsel for the Respondent has agreed to

the appointment of Sole Arbitrator without prejudice to the rights and contentions of the Respondent. In view thereof, the following Order is passed:-

(i) (Dr.) Smt. Sadhana Sanjay Jadhav (Retired High Court Judge) is appointed as Sole Arbitrator to adjudicate the disputes between the Petitioner and the Respondent arising out of the Memorandum of Understanding dated 25th January, 2019 under Section 11(6) of the Arbitration and Conciliation Act, 1996 .

(ii) The venue of arbitration shall be in Pune.

(iii) Office to inform the Sole Arbitrator regarding her appointment.

(iv) The Sole Arbitrator is requested to file Disclosure Affidavit under Section 11(8)(i) of the Arbitration and Conciliation Act, 1996 within a period of three weeks from the date of receipt of the notice issued by the Registrar Judicial-I and provide copies to the parties.

- (v) Parties to appear before the Sole Arbitrator on the dates fixed.
- (vi) The Respondent will be at liberty to file counter claim in the arbitral proceedings.
- (vii) Fees of the Sole Arbitrator will be payable in accordance with the Bombay High Court (O.S.) Rules, 2018.
- (viii) Arbitration Petition is disposed of in the above terms.
- (ix) No costs.

[R.I. CHAGLA J.]