

3. This Court has considered the material on record and it is evident that jurisdiction under Section 11(6) of the said Act can be exercised by this Court for appointment of arbitrator. Although the arbitration clauses do not specify the place of arbitration, the parties have agreed before this Court that Mumbai shall be the place of arbitration. The parties have also agreed for consolidation of all their disputes pertaining to the five contracts, to be resolved through arbitration before a sole arbitrator.

4. It is indicated that apart from the claims that the applicant is raising, the respondent would also be raising counter-claims, and therefore, considering the extent of claims and counter-claims to be raised by the rival parties, it would be appropriate that a former Judge of this Court is appointed as the sole arbitrator.

5. In that light, Justice Roshan Dalvi, a former Judge of this Court is appointed as the sole arbitrator for resolution of disputes between the parties. The details of the learned arbitrator are as follows:-

Hon'ble Smt. Justice Roshan Dalvi
202, Siddhant,
Madhusudan Kalelkar Road,
Kalanagar, Bandra (East),
Mumbai - 23.

6. Parties undertake to inform the learned arbitrator at the earliest about the order passed today.

7. Learned Arbitrator is requested to communicate her consent and disclosure statement in terms of Section 11(8) and 12(1) of the aforesaid Act to the Prothonotary and Senior Master of this Court, within four weeks from today.

8. The statement of claim shall be filed within two weeks of appearance of the parties before the learned Arbitrator.

9. The fees of the learned Arbitrator shall be fixed in terms of the Fourth Schedule to the aforesaid Act.
10. All questions are kept open for decision by the learned arbitrator.
11. As noted hereinabove, the parties have agreed for consolidation of all their disputes pertaining to the five contracts in respect of which invocation notice was issued by the applicant, for resolution through arbitration.
12. The application stands disposed of.

(MANISH PITALE, J.)

Minal Parab