

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION APPLICATION NO.46 OF 2022

Parle Agro Pvt. Ltd. ... Applicant
Vs.
Ben and Gaws Private Limited ... Respondent

Ms. Radhika Gupta and Mr. Taha Mirza i/b. Khaitan & Co. for Applicant.
Ms. Dhara Modi i/b. Singhania Legal Services for Respondent.

CORAM : MANISH PITALE, J.
DATE : AUGUST 31, 2023

P.C. :

. By this application under Section 11 read with Section 15(2) of the Arbitration and Conciliation Act, 1996, the applicant is seeking appointment of an arbitrator. The respondent has appeared through counsel.

2. In the first instance, by an order dated 10.01.2020, this Court appointed a sole arbitrator for resolution of disputes between the parties. The statement of claim was filed on behalf of the applicant and thereafter, by an email dated 16.12.2020, the arbitrator communicated to the parties that he was withdrawing from the arbitration proceedings due to personal reasons.

3. In that light, the present application has been filed. The respondent has no objection to the prayer being granted in the present application.

4. Considering the nature of claim raised by the applicant, it is submitted that an advocate practicing in this Court may be appointed as the sole arbitrator. At this stage, learned counsel appearing for the parties jointly submit that Mr. Anil R. Mehta, Advocate may be appointed as the sole arbitrator.

5. Accordingly, Advocate Anil R. Mehta is appointed as the sole arbitrator for resolution of disputes between the parties. The details of the learned arbitrator are as follows:-

Advocate Anil R. Mehta

5-G, Rajabhadur Mansion, 2nd Floor,
Ambalal Doshi Marg, Near Stock Exchange,
Fort, Mumbai - 400 001.

Email : mehtaanil195@gmail.com

Prakash Chamber, Chamber No.1,
Mezzanine Floor, 77, Nagindas Master Road,
Fort, Mumbai – 400 001.

Mobile No. - 98201 66852.

6. The parties are directed to inform the learned arbitrator immediately about the order passed today.

7. Learned Arbitrator is requested to communicate his 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 three weeks from today.

8. The statement of claim shall be filed within two weeks of appearance of the parties before the learned Arbitrator. Needless to say that the learned Arbitrator shall proceed with the arbitration in accordance with law.

9. The fees of the learned Arbitrator shall be fixed in terms of the Fourth Schedule to the aforesaid Act.

10. It is directed that the learned arbitrator so appointed shall continue the proceedings from the stage that the earlier arbitrator had left.

11. All questions are kept open for decision by the learned arbitrator.

12. The application stands disposed of.

(MANISH PITALE, J.)