

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR**

**Civil Application No. 384 of 2023  
in  
Misc. Civil Application (Arbn.) No. 360 of 2022 (decided)**

Prashant Babasaheb Wasade and others  
**Versus**  
Anil S/o O.L.Rathi and another

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

Shri M.R.Joharapurkar, Advocate for the applicant.  
Shri Chetan Dhore, Advocate for the non-applicant  
no.2.

**CORAM : ANIL S. KILOR, J.  
DATED : 21<sup>st</sup> JULY, 2023.**

Heard.

2. In the present matter, this Court had appointed Shri Justice R.K.Deshpande (Retd.) as a sole arbitrator with the consent of the parties, on 3<sup>rd</sup> February, 2023.

3. The present application is moved for change of arbitrator for the reason that in another proceeding initiated by the respondent no.1 against the applicant, this Court had appointed Shri Justice R.K.Deshpande (Retd.) as a sole arbitrator with the consent of the

parties on 25<sup>th</sup> November, 2022. However, the learned Arbitrator had recused himself to act as a sole arbitrator. Therefore, an application came to be filed in the said matter to appoint Chief Justice Shri B.P.Dharmadhikari (Retired) as a sole arbitrator vide order 13<sup>th</sup> March, 2023. Hence, a similar request is made in this matter.

4. Learned counsel for the respondent has no objection for change of Arbitrator for the above referred reason. Accordingly, the application is allowed in terms of prayer clause (1).

5. Civil application is disposed of.

**[ANIL S. KILOR, J.]**

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by  
SACHIDANAND  
KUTTAN NAIR  
Date:  
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