



Application No.1750 of 2023

Application No.1750 of 2023 in
O.P.No.854 of 2019

WEB COPY

C.SARAVANAN, J.

Despite notice being served on the respondent, there is no representation on behalf of the respondent.

2. This application has been filed for substituting the name of the arbitrator appointed by this Court vide order dated 18.02.2020. By the aforesaid order, Mr.Shri.Baljit Singh, ADG (Arbitrator), SPA, Chandigarh was appointed as an Arbitrator from the names in the printed list of panel for arbitrator for the respondent. The respondent is from Goa. The applicant has filed a copy of the communication of the Government giving a list of panel arbitrators.

3. Considering the above, Court is inclined to appoint Shri.Raghunath Prasad Tripathi, ADG, MES, as the sole Arbitrator to enter upon reference and adjudicate / resolve the *inter se* dispute between the parties.



Application No.1750 of 2023

(ii) The learned Arbitrator appointed herein, shall after issuing

notice to the parties and upon hearing them, endeavour to complete the arbitral proceedings and pass an award strictly in accordance with the provisions of the Arbitration and Conciliation Act, 1996, as expeditiously as possible, preferably within a period of twelve months after the date of completion of pleadings under Sub-Section 4 to Section 23 as is contemplated in Section 29-A of the Arbitration and Conciliation Act, 1996, without getting influenced by any of the observations made by this Court in this order.

(iii) The learned Arbitrator appointed herein shall be paid fees and other incidental charges as may be fixed with the consent of parties or in accordance with the provisions of the Arbitration and Conciliation Act, 1996, and the same shall be borne by the parties equally. In case, the respondents remain *ex parte*, the petitioner shall pay the entire fee and other incidental charges to the Arbitrator and later recover the same from the respondent.



Application No.1750 of 2023

WEB COPY

4. This Application is allowed with the above observations, leaving the parties to bear their own costs.

5. Since the Court has appointed an Arbitrator, it is open to the petitioner as well as the respondents to seek other reliefs under Section 17 of the Arbitration and Conciliation Act, 1996, before the learned Arbitrator.

12.10.2023

jas



WEB COPY



Application No.1750 of 2023

C.SARAVANAN, J.

jas

Application No.1750 of 2023
in
O.P.No.854 of 2019

12.10.2023