



**IN THE JUDICATURE OF HIGH COURT AT BOMBAY
BENCH AT AURANGABAD**

**941 CIVIL APPLICATION NO. 2777 OF 2024
IN ARB/16/2017**

M/s Angira Buildcon Private Limited Through Power Of Attorney Holder,
Shri Samarth Srikanth Khatud

VERSUS

Jalgaon City Municipal Corporation Through Commissioner

...

Advocate for Applicant : Mr. Naik Thigle Girish K

...

CORAM : ARUN R. PEDNEKER, J.

Dated : August 09, 2024

PER COURT :-

1. Present application is filed under Section 15 of the Arbitration and Conciliation Act, 1996 for replacement of the earlier Arbitrator Justice V. K. Jadhav as he is appointed as a Member of Maharashtra Administrative Tribunal. The said fact is informed by Justice V. K. Jadhav vide letter dated 28th November, 2023 to learned Advocate for applicant.

2. The parties have agreed that learned Advocate Mr. Shrinivas Patwardhan to be appointed as an substituted Arbitrator in the matter.

3. Accordingly, the arbitration application is disposed of with following order : -

a) **Appointment of Arbitrator :-**

By consent, Advocate Mr. Shrinivas Sudhir Patwardhan, this Court, is hereby nominated to act as a Sole Arbitrator to decide the disputes and differences between the parties under Partnership Deed.

(b) Communication to Arbitrator of this order :-

(i) A copy of this order will be communicated to the learned Sole Arbitrator by the Advocates for the Applicant within one week from the date this order is uploaded.

(ii) In addition, within one week of this order being uploaded, the Registry will forward an ordinary copy of this order to the learned Sole Arbitrator at the following postal and email addresses :-

Arbitrator : Advocate Mr. Shrinivas Sudhir Patwardhan
Address : 152/D, Dalamat Park , 89, Cuff Parade,
Mumbai 400005 and
1 Gundecha Chambers, Nagindas master
Road, Fort Mumbai 400023.
E-Mail : patwardhanchambers@gmail.com
Phone : 022 - 22617474/ 9322617474

(c) Disclosure :-

The learned Sole Arbitrator is requested to forward the necessary statement of disclosure under Section 11(8) read with Section 12(1) of the Arbitration Act to the Registrar of this Court, referencing this arbitration application, as soon as possible, and in any case sufficiently before entering upon the reference to arbitration. That statement will be retained by the Registrar on the file of this application. Copies will be given to both sides.

(d) **Appearance before the Arbitrator :-**

Parties will appear before the learned Sole Arbitrator on such date and at such place as the learned Sole Arbitrator nominates to obtain appropriate directions in regard to fixing a schedule for completing pleadings, etc.

(e) **Contact/communication information of the parties :-**

Contact and communication particulars are to be provided by both sides to the learned Sole Arbitrator within one week of this order being uploaded. The information is to include a valid and functional email address.

(f) **Section 16 application :-**

The respondent is at liberty to raise all questions of jurisdiction within the meaning of section 16 of the Arbitration Act. All contentions are left open.

(g) **Interim Application/s :-**

(i) Liberty to the parties to make an interim application or interim applications including (but not limited to) interim applications under Section 17 of the Arbitration & Conciliation Act, 1996 before the learned Sole Arbitrator.

(ii) Any such application will be decided in such manner and within such time as the learned Sole Arbitrator deems fit.

(h) **Fees :-**

The arbitral tribunal's fees shall be governed by the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.

(i) The Arbitral Tribunal to decide the venue of the Arbitration after consultation with the parties and considering the scope of the Section 20 of the Arbitration Act.

4. The application is disposed of in these terms. No costs.

(ARUN R. PEDNEKER, J.)

vj gawade/-.