



Shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA
APPLN. FOR APPOINTMENT OF ARBITRATOR NO.13 OF 2024
VIKRAM SHAH **...PETITIONER**
VERSUS

RIVA TRINDADE AND 3 ORS. **...RESPONDENTS**

Mr. Kaif Noorani, Advocate for the Applicant.

Mr. Vassudev Amonkar, Advocate for Respondent Nos. 1, 2 and 3.

Mr. Raunaq Rao, Advocate for the Respondent No. 4.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 07th August 2024

ORAL ORDER

1. After hearing Mr. Noorani learned counsel for the Applicant and Mr. Vassudev Amonkar learned counsel for Respondent Nos. 1, 2 and 3 and Mr. Rao learned counsel for Respondent No.4, they agree that the matter could be referred to a Sole Arbitrator for the purpose of deciding the dispute between the parties.

2. The learned counsel appearing for the parties agree that the learned Senior Counsel Mr. Nitin Sardesai would be appointed as Arbitrator to decide the dispute between the parties.

3. In view of the above consent of the parties Mr. Nitin Sardessai, learned Senior Counsel of this Court is hereby appointed as Arbitrator to decide the dispute.

- a. The Application is allowed.
- b. Mr. Nitin Sardessai, Senior Advocate is appointed as the sole Arbitrator to decide the dispute between the parties.
- c. A copy of this order be communicated to the learned sole Arbitrator by the Advocate for the Applicant, within a period of one week from today.
- d. The learned sole Arbitrator is requested to forward his Statement of Disclosure under Section 11 (8) read with Section 12 (1) of the Arbitration Act to the Advocate for the Applicant so as to enable him to file the same in the Registry of this Court. The Registry of this Court shall retain the said Statement on the file of this Application and a copy of the same shall be furnished by the Advocate for the Applicant to the Advocate for the Respondents.
- e. The parties shall appear before the learned sole Arbitrator on such date and at such place as he nominates to obtain appropriate directions with regard to fixing a schedule for completing pleadings etc. The Arbitral

Tribunal shall give all further directions with reference to the arbitration and also as to how it is to proceed.

- f. Contact and communication particulars shall be provided by both sides to the learned sole Arbitrator within a period of one week from today. This information shall include a valid and functional email address as well as the mobile numbers of the respective Advocates.
- g. The parties have agreed that the sole Arbitrator shall charge his fees as per the 4th Schedule of the Arbitration and Conciliation Act, 1996 read with the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018. The parties have further agreed that all the arbitral costs and the fees of the Arbitrator will be borne by the Applicant and the Respondents equally and will be subject to the final Award that may be passed by the Tribunal.
- h. The parties immediately consent to a further extension of six months to complete the arbitration, should the learned sole Arbitrator find it necessary.
- i. The parties have agreed that the seat of the arbitration will be at Panaji, Goa. However, the venue of the Arbitration shall be decided by the sole Arbitrator taking into consideration convenience of the parties as well as his

convenience.

4. Parties are directed to approach the learned Arbitrator within a period of one week for the purpose of fixing a peremptory date for the purpose of arbitration.

5. Petition stands disposed of.

BHARAT P. DESHPANDE, J.