

shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA

APPLN. FOR APPOINTMENT OF ARBITRATOR NO.15 OF 2023

DATTATRAYA Y. SADEKAR

... APPLICANT

Versus

VINAY YESHWANT SADEKAR AND ANR

... RESPONDENTS

Mr. Nilaksh Shet Marathe, Advocate for the Applicant.

Mr. Shubham Priolkar, Advocate for the Respondent No. 1

CORAM:- AVINASH G. GHAROTE, J.

DATED :- 22nd March, 2024

P.C.

1. The agreement dated 01.04.1993, by which the firm was reconstituted contains an arbitration clause 35, regarding which, since it is contended that disputes have arisen, the same has been invoked.

2. The learned counsel for Respondent No.1 has no objection for the appointment of an Arbitrator. Though Respondent No.2 was served, however, none appeared on 14.03.2024 and the matter was fixed today to grant an opportunity. Today also no one appears for Respondent No. 2, considering which, I am proceeding ahead to decide the matter.

3. In view of the existence of the arbitration clause and its invocation, and the learned counsel for Petitioner and Respondent

No.1 being agreeable to the appointment of Justice F.M. Reis, Former Judge of this Court as an Arbitrator, he is so appointed to arbitrate the disputes between the parties hereto.

4. The learned Arbitrator shall make a disclosure as required by Section 12 of the Arbitration and Conciliation Act. The parties shall appear before the learned Arbitrator on 01.04.2024 to intimate about his appointment. The application is accordingly allowed in the above terms, with no costs.

AVINASH G. GHAROTE, J.