

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION PETITION NO.42 OF 2024

Anand Eknath Kakad .. Petitioner
Versus
Indian Oil Corporation Limited .. Respondent
...

Mr.Amay Deshpande a/w Vandana Bait for the Petitioner.
Mr.S.M. Seegarla i/b RMG Law Associates for respondent.

CORAM: BHARATI DANGRE, J.
DATED : 24th APRIL, 2024

P.C:-

1 The Dealership Agreement dated 29/11/2004 entered between the Petitioner and the India Oil Corporation for the agency of the retail sale of petroleum products was terminated on 16/08/2019.

It resulted in filing of a Writ Petition before this Court, wherein, upon taking note of the clause no. 67 of the Agreement, the division bench conferred liberty upon the parties to prefer an application under Section 11, seeking appointment of an Arbitrator to resolve the disputes and the court declined to grant any relief prayed in the petition.

2 In the wake of the aforesaid order, the petitioner has approached this Court seeking appointment of a sole arbitrator to adjudicate the disputes. The learned counsel for the respondent do not object to the same.

3 In the wake of the above, Advocate Vishal Vijayrao Kale is appointed as Sole Arbitrator to adjudicate the disputes and differences that have arisen between the parties. The details of the Arbitrator are as below:

Name :- Adv. Vishal Vijayrao Kale.

Address :- 103, Chunawala Chambers, 2nd floor next to Pune Shikshan Mandal, Shivaji Nagar, Pune-411005.

Mob No :- 9822008298/7219608298

The Arbitrator shall, within a period of 15 days before entering the arbitration reference forward a statement of disclosure as contemplated u/s Section 12 of the Arbitration and Conciliation Act, 1996, to the Registrar Judicial-I of this Court to be placed on record.

The Arbitrator, shall after entering the reference fix the date of first hearing and issue further directions as are necessary.

The Sole Arbitrator shall be entitled for the fees as per Bombay High Court (Fee Payable to Arbitrators) Rules, 2018 and the arbitral costs and fees of the Arbitrator shall be borne by the parties in equal portion and shall be subject to the final

Award that may be passed by the Tribunal.

The Advocate for the Applicant shall intimate the Arbitrator about his appointment within a period of one week from the date of uploading of this Order;

In addition, the Office of the Registrar Judicial-I of this Court shall also intimate the Arbitrator about his appointment, within a period of one week from the date of uploading of this order.

All rights and contentions of the parties are kept open.

(SMT. BHARATI DANGRE, J.)