

Mr. Sagar Goroba Gurav & Ors. .. Petitioners

Versus

Dr. Niteen Vishwanath Dhepe .. Respondent

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

1 Articles of Agreement entered between the parties
lead to a dispute and since the very document provided the mode
for its resolution in clause 12, arbitration is invoked by setting
out the dispute.

The arbitration clause contained in the Articles of Agreement reads thus:-

“12. Any dispute between the parties regarding terms of transaction shall be referred to the sole Arbitrator and his decision thereon shall be final. The place of arbitration may be Navi Mumbai or Pune. The proceeding shall be conducted under the provisions of the Arbitration and Conciliation Act,

1996”

2 There is no dispute between the respective counsels representing the parties, that there exists an arbitration agreement between the parties and by consent, they have agreed that the arbitration shall be conducted in Pune, through Mr. Vinay Pandurang Utpat.

3 In the wake of the consensus arrived, Mr. Vinay Pandurang Utpat is appointed as a sole Arbitrator, to adjudicate the disputes that have arisen between the parties out of the Articles of the agreement dated 6/05/2023.

The details of the Arbitrator are given as below:

Name	:-	Mr. Vinay Pandurang Utpat.
Address	:-	Mahavir Park, 'C' wing, flat no.70, Pune-Satara Road behind Nexa Showroom, Neer Rao Navsing Home, Pune-411037.
Email	:-	uvinay@yahoo.co.in
Mob	:-	9423044478

4 Appointment of Arbitrator shall be subject to the following stipulations:-

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, on the email id, mentioned above 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.)