

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION PETITION NO.146 OF 2023

L.P. Consultancy LLP .. Petitioner
Versus
M/s Sanas Builders & Developers .. Respondents

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Mr.Rahul Singh with Mr.Yash Naik i/b Legal Catalyst for the
Petitioner.

Mr.Deepak R. More with Mr.Shivram A. Gawade i/b Mr.Hemant
Ghadigaonkar for the Respondent.

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CORAM: BHARATI DANGRE, J.
DATED : 15th JANUARY, 2024

P.C:-

1. The Arbitration Petition seeks appointment of an Arbitrator to resolve the dispute that has arisen between the parties out of the Agreement for Sole Selling dated 25/03/2019.

There is no dispute amongst the parties that clause 12 of the Agreement contemplates reference of the disputes or differences arisen between the parties to arbitration under the provisions of the Arbitration and Conciliation Act, 1996.

The arbitration clause also contemplates that arbitration proceedings shall be held in Pune.

2. Since the learned counsel appearing for the respective parties are ad idem that the dispute must go to an Arbitrator for arbitration and since, by consent, they are agreeable to the appointment of Justice S. R. Sathe (Retired) to resolve the dispute, he is appointed as a sole Arbitrator to decide the disputes and differences between the parties under the document referred to above.

The parties shall appear before the Sole Arbitrator within a period of two weeks from today and the Arbitrator shall fix up a first date of hearing in the week commencing from 05/02/2024. The Arbitral Tribunal shall give all further directions with reference to the arbitration and also as to how it is to proceed.

The sole Arbitrator shall be entitled to the fees prescribed under the 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.

Needless to state that all the contentions of both the sides are left open, to be raised by the respective parties before the Arbitral Tribunal, in accordance with law.

3. Arbitration Petition No.146 of 2023 stands disposed off in the aforestated terms.

(SMT. BHARATI DANGRE, J.)