

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 178 OF 2024

Cybertch System & Software Ltd through Authorised ...Petitioner
Representative Mr Rahul Jha

Versus

Deputy Municipal Commissioner, Property Tax ...Respondent
Department, Pune Municipal Corporation

Mr Pandit Kasar, with *Vikram Ghorpade*, for the Petitioner.

Mr RS Khadapkar, for the Respondent.

SHEPHALI
SANJAY
MORMARE

Digitally signed by
SHEPHALI SANJAY
MORMARE
Date: 2024.12.19
17:52:48 +0530

CORAM: **ARIF S. DOCTOR, J**
DATED: **19th December 2024**

PC:-

1. Learned Counsel appearing on behalf of the Respondent seeks time to take instructions on the appointment of the Nominee Arbitrator of the Respondent. It was also pointed out at this stage that the Arbitration Agreement contemplates a panel of three Arbitrators' Tribunal and thus it was suggested by the Learned Counsel appearing on behalf of the Petitioner that in respect of incurring the costs of three Arbitrators, a Sole Arbitrator can be appointed.

2. Learned Counsel appearing on behalf of the Respondent submits that he shall take necessary instructions on this aspect as well.

3. Since there is no dispute to the Arbitration Agreement, Learned Counsel appearing on behalf of the Respondent shall take necessary instructions (i) as to whether the Respondent–Corporation is willing to submit the disputes and differences to the arbitration of the Sole Arbitrator and (ii) in the event the Respondent=Corporation is not willing to submit the disputes and differences t the arbitration of the Sole Arbitrator, they shall give the name of the Nominee Arbitrator to be appointed by the Respondent.

4. List the matter on 13th January 2025.

(ARIF S. DOCTOR, J)