



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION (CAO) NO. 896 OF 2024
IN
MISC. CIVIL APPLICATION (ARBN) NO. 1088 OF 2023

M/s. R.K. Construction, Aurangabad

Vs.

The Municipal Council Chikhali thr. Chief Officer

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Ms. H.N. Jaipurkar, Advocate for the Applicant.

Mr. P.P. Deshmukh, Advocate for the Non-applicant.

CORAM : G. A. SANAP, J.

DATED : 25th JULY, 2024.

. This is an application for speaking to the minutes. It is pointed out that the advocate had made a submission that the resolution of the dispute by way of arbitration has not been provided in the agreement. It is stated that the word 'not' is missing from the words 'has been'.

2. Accordingly, the word 'not' is to be added between the words 'has been' in the third line of para no.3. It is accordingly added.

3. Learned advocate submitted that the non-applicant has suggested that the District Collector, Buldhana be appointed as an Arbitrator and not the officer of the Municipal Council, Malkapur. In the last line of para no.5, due to oversight and mistake, it is mentioned that the name of the officer of the Municipal Council, Malkapur has been suggested. The last sentence is accordingly corrected as follows:

(i) The non-applicant has suggested that the District Collector, Buldhana be appointed as an Arbitrator.

4. The last sentence of para no.5 is deleted.

5. Necessary corrections be carried out and corrected order be uploaded accordingly.

6. The application stands disposed of.

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7. Pursuant to the order passed by this Court on 3rd July, 2024, disclosure as required by Section 11(8) read with Section 12(1) of the Arbitration and Conciliation Act, 1996, is received from the proposed learned Arbitrator. Hence, the following order:

(i) Shri Justice M. N. Gilani (Former Judge of the Bombay High Court), is appointed as Sole Arbitrator to resolve the dispute between the parties.

(ii) The applicant shall deposit Rs.10,000/- (Rs. Ten Thousand) with the Registry of this Court within six weeks towards proceeding charges.

8. The Misc. Civil Application is disposed of.

(G. A. SANAP, J.)

Vijay