



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

Misc. Civil Application (ARBN) No. 956 of 2024

M/s Aaved Sheikh, MSME Registered Proprietorship acting through its
Proprietor Shri Aaved Zibrail Sheikh

Versus

Western Coalfields Limited, acting through its Chairman, Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri Yash Kullarwar, Advocate for the applicant.

Shri G.E.Moharir, Advocate for the non-applicant.

CORAM : NIVEDITA P. MEHTA, J.

DATED : 15th SEPTEMBER, 2025.

This application has been filed for the appointment of an Arbitrator to resolve the dispute between the applicant and the non-applicant. The applicant contends that under the terms of contract between the parties, any dispute or difference arising in connection with the contract is to be referred to arbitration. The contract specifically provides that in the

event of a dispute, the same shall be referred to the sole arbitration of a person appointed by the Competent Authority of Coal India Limited (CIL) or the Chairman and Managing Director (CMD) of the Subsidiary Company (as the case may be). The arbitration award is to be final and binding on the parties.

2. In view of the above contractual provision, the parties have mutually agreed to appoint Smt. Justice Vasanti A. Naik (Former Judge of the Bombay High Court), as the sole Arbitrator to resolve the dispute between them.

3. The Registrar (Judicial) is directed to seek a disclosure statement from the proposed Arbitrator as per Section 11(8) and 12(5) of the Arbitration and Conciliation Act, 1996, in order to ensure that there is no conflict of interest.

4. The applicant is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) with the Registry of this Court within two weeks from the date of

this order, towards processing charges for the appointment of the Arbitrator.

5. Upon receipt of the deposit, the Registry shall take necessary steps to process the application and ensure that the appointment of the Arbitrator is made within three weeks.

[NIVEDITA P. MEHTA, J.]