

ITEM NO.10

COURT NO.5

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Arbitration (Civil) No(s). 39/2019

SHAH NANJI NAGSI EXPORTS PVT. LTD.

Petitioner(s)

VERSUS

ABREEN FACTORY FOR FOOD STUFF AND PACKING

Respondent(s)

(IA No. 147684/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 03-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.M. JOSEPH  
HON'BLE MR. JUSTICE HRISHIKESH ROYFor Petitioner(s) Mr. Gagan Sanghi, Adv.  
Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Heard Mr. Gagan Sanghi, learned counsel appearing for the petitioner.

This petition filed under Section 11(5) read with Section 11(9) of the *Arbitration and Conciliation Act, 1996* is for appointment of sole Arbitrator to adjudicate the dispute between the parties arising out of or in relation to the Sale Contract No.SE17Y-00350 dated 16.01.2018 and Sale Contract No.SE17Y-00379 dated 20.02.2018.

The learned counsel for the petitioner would refer to the stipulation in the sale contract which indicates that the parties

have agreed for resolution of their dispute by arbitration in Nagpur, India.

The office report dated 02.11.2022 reflects that service is effected on the sole respondent but none has entered appearance on their behalf. Consequently, the matter is listed before us today.

Having considered the petitioner's submission as also the stipulation in the sale contract, we deem it appropriate to nominate Justice (Retired) V. G. Bisht, Former Judge, Bombay High Court to be the sole arbitrator to adjudicate the dispute between the parties.

The learned Arbitrator would be at liberty to decide on the fee and expense payable by the parties. The Registry will immediately communicate this order to Justice V.G. Bisht, Former Judge, Bombay High Court, in the following address: Flat No.2702, 27th Floor Building D-3, Zinnia CGHS, Neelkanth Greens, Tikujini Wadi, Manpada, Thane (West) 400610, Maharashtra.

The petition stands allowed as above.

Pending application(s), if any, stand disposed of.

(JAGDISH KUMAR)  
COURT MASTER (SH)

(MATHEW ABRAHAM)  
COURT MASTER (NSH)