
(2012) 12 JH CK 0014
In the Jharkhand High Court
Case No : A.A. No. 01 of 2012

Phulwanti Devi

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 14-12-2012

Acts Referred:

Arbitration and Conciliation Act, 1996 — Section 11

Citation : (2013) 2 AJR 120

Hon'ble Judges : Dhirubhai Naranbhai Patel, J

Bench : Single Bench

Advocate : Rahul Gupta, for the Appellant; M. Khan, A.S.G.I., for the Respondent

Judgement

D.N. Patel

1. The instant arbitration application has been preferred u/s 11 of the Arbitration and Conciliation Act, 1996. Counsel for the applicant has submitted that the dispute has arisen between the parties for payment of lease rent in pursuance of an agreement which has been annexed as Annexure-1 dated 07.12.2009 and especially looking to Clause 15 thereof. It is further submitted by the counsel for the applicant that a letter has been written by the applicant to the respondent dated 16th May, 2011 (Annexure-3) for resolving the dispute through an arbitration, but, till date, no arbitrator has been appointed by the respondent and, therefore, the present application has been preferred for appointment of any arbitrator so that the dispute between the parties may be brought to an end. Counsel for the applicant further submitted that whatever name may be suggested by the respondent is acceptable to the applicant, but, the dispute may be resolved within a stipulated time. Counsel for the respondent submitted that let Hon'ble Mr. Justice R.K. Merathia, a retired Judge of this Hon'ble Court, may be appointed as an arbitrator to resolve the dispute.

2. In view of this limitation submissions, I hereby appoint Hon'ble Mr. Justice R.K. Merathia, a retired Judge of this Hon'ble Court, as an arbitrator to resolve

the dispute between the parties as referred in this application and I hereby request the Arbitrator that after the arbitration proceeding is commenced, the dispute may be decided as expeditiously as possible and practicable, preferably within a period of four months from the date of commencement of the arbitration proceeding. Both the parties are directed to cooperate in the hearing of the arbitration before the Arbitrator.

3. Registry is directed to send a copy of this order to Retired Hon"ble Justice Shri R.K. Merathia. This application is disposed of accordingly.