

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Arbitration Application No.5 of 2024

M/s National Commodities Management Services Limited, formerly known as National Collateral Management Services Limited" duly incorporated under the Companies Act, 1956 having its registered office at D-164, TTC Industrial Area, Nerul MIDC, Navi Mumbai, Mumbai City, Maharastra, - 400706 and its Corporate Office at 601, 6th Floor, SAS Tower, Support Area, Medicity, Sector 38, Gurugram, Haryana, 122001 through its authorized Signatory Deep Kumar Dubey, Aged about 42 Years, Son of Lal Chandra Dubey, Resident of 161 Naya Rasulabad Allahabad, P.O. Allahabad, P.S. Allahabad, District-Allahabad (Uttar Pradesh)-211004.

... .. Petitioner

Versus

M/s Assay Ceramics & Chemicals Pvt Ltd, situated at, A-20,21, Large Industrial Sector, Gamharia, P.O Gamharia, P.S District East Sinhbhum having its Registered Office at Naya Bazar, Jugsalai, P.O Jugsalai, P.S Jugsalai, Jamshedpur, District East Singhbhum through its Director, Sapna Goel.

... .. Respondent

CORAM: **HON'BLE THE CHIEF JUSTICE**

For the Petitioner:	Mrs. Darshana Poddar Mishra, Advocate Ms. Diksha Dwivedi, Advocate Mr. Deepak Kumar Sinha, Advocate
For the Respondent:	Ms. Manjusha Priya, Advocate Mr. Pranav Kumar, Advocate Mr. Rishav Kumar, Advocate

20/Dated: 19.09.2025

1. Heard both sides.
2. This Arbitration Application has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator and for reference of the dispute arising out of Clause 19 of the Agreement dated 30.03.2016 between the parties for adjudication.
3. Learned counsel for the petitioner submits that similar nature of cases filed by the petitioner, Hon'ble Mr. Justice Dilip Kumar Sinha, a retired Judge of this Court, has been appointed as the Sole Arbitrator by a Coordinate Bench of this Court and hence, in the instant matter also, he may be appointed as Arbitrator.

4. Learned counsel for the respondent does not have any objection to the aforesaid submission.
5. In the aforesaid facts and circumstances and that, there is an arbitration clause in the aforesaid agreement which is admitted by both parties, therefore, Hon'ble Mr. Justice Dilip Kumar Sinha, retired Judge of High Court of Jharkhand, presently residing at D/401, Green Residency, Nalanda Colony, Budha Vihar, Tetar Toli, Bariatu, Ranchi, is appointed as the Sole Arbitrator to adjudicate upon the dispute between the parties.
6. All contentions available to the parties are left open.
7. Learned Arbitrator would be free to lay down the fees and other expenses towards conduct of the arbitration proceedings, however, while doing so he shall take into account the ceiling prescribed under Schedule IV of the Act of 1996 as amended.
8. Learned Arbitrator would endeavor to conclude the proceedings expeditiously by taking into regard the mandate of the Legislature under Section 29-A of the Act of 1996.
9. Accordingly, this application is allowed.
10. The Registry is directed to intimate the Arbitrator so appointed with a request to take up the arbitration proceeding and shall also provide photocopy of the entire pleadings along with copy of the entire order sheet to the learned Arbitrator.
11. Urgent Certified Copies as per Rules.

(Tarlok Singh Chauhan, C.J.)

September 19, 2025

N.A.F.R.

Manoj/Pramanik/Cp.2.