

**Protyush Chatterjee Vs. Vivek Enterprise**

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**SooperKanoon Citation :** [sooperkanoon.com/1042099](http://sooperkanoon.com/1042099)

**Court :** Madhya Pradesh

**Decided On :** Oct-16-2012

**Appellant :** Protyush Chatterjee

**Respondent :** Vivek Enterprise

**Advocate for Pet/Ap. :** Shri. Ajay Sharma

**Judgement :**

Protyush Chatterjee versus Vivek Enterprise A.C.No.107/2011 16/10/2012 Shri Ajay Sharma, learned counsel for the applicant.

This application has been filed under Section 11 of the Arbitration and Conciliation Act.

Notices have been issued to the respondents and the matter is pending since 16.3.2011.

Inspite of granting time on various occasions during the last one year, respondent has not filed any reply and when the case is listed today, even on the second round, none is appearing for the respondent.

Accordingly, the matter is decided on the basis of the material available on record.

An agreement entered into between the parties vide Annexure-A1 with regard to certain supply of items to be made in connection with activities of the non-

applicant with the establishment of Vehicle Factory Jabalpur.

In the matter of supply of the items as certain disputes have arisen, this application has been filed.

On going through the material available on record, it is clear that the disputes have arisen and as Clause-6 of the agreement provides for resolution of dispute through arbitration, this application is allowed.

In view of the above, Shri M.A.Khan, a Retired District Judge and an Advocate practicing in this Court is appointed as an Arbitrator for resolution of dispute between the parties.

With the aforesaid, the application is allowed and disposed of.

Certified Copy as per rules.

(Rajendra Menon) Judge

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