

ORDER SHEET  
IN THE HIGH COURT OF SINDH AT KARACHI  
SUIT NO. 1070 / 2015

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DATE	ORDER WITH SIGNATURE OF JUDGE
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For hearing of Main Application

13.10.2016.

Mr. Zahid Ebrahim Advocate for Plaintiff  
Mr. Agha Zafar Ahmed Advocate for defendant.

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This is an application under Section 20 of the Arbitration Act, 1940, for appointing an Arbitrator to resolve the dispute between the parties. Learned Counsel for the applicant / plaintiff submits that the agreement dated 22.6.2008 specifically provided in clause 21 (available at pg:61) that any dispute or difference arising out of the Agreement which cannot be amicably settled by the parties, shall be finally settled under the Arbitration Act, 1940, and rules made thereunder. Such position is not seriously disputed by the learned Counsel for the defendant, who however, submits, that earlier there were some sanctions against plaintiff's country and therefore, the issue could not resolved. He has however, conceded that the Court may appoint an Arbitrator in the matter.

In the above circumstances, and for the reason that the agreement in question specifically provided for settlement of dispute(s) through Arbitration, **Mr. Justice (Retired), Muhammad Athar Saeed** is appointed as the Sole Arbitrator in the matter, who shall proceed accordingly. The learned Sole Arbitrator shall settle his fee. Let reference of the dispute be made by both the parties to the learned Arbitrator within 4 weeks, whereupon the learned Arbitrator to enter into reference and deliver his award in accordance with the mandate of the Arbitration Act, 1940. Office shall send copy of this order to the learned Sole Arbitrator directly for information.

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