

Bank of Baroda

Vs

B. J. Bhambani and Another

Special Leave Petition (Civil) No. 7953 of 1987

(Sabyasachi Mukharji, S. Ranganathan JJ)

01.02.1988

ORDER

This is a petition challenging the award of the arbitrator. The matter went to the High Court and the question arose whether the arbitrator had jurisdiction to enter into the reference and make the award. It was contended that he was not the appointed arbitrator. The High Court after discussing the material on record, came to the conclusion that the arbitrator was appointed by consent of the parties though he was not the original arbitrator. We have perused the papers upon which reliance was placed in the High Court. The High Court was right in the facts and circumstances of this case. No other point was urged before the High Court about the award being an unreasoned award. Before us, however, it was sought to be urged that the award was bad not being a speaking award. Having perused the award from pages 24 to 26 of the paper books of this case it appears to us that the arbitrator has sufficiently indicated his mind on the different heads on which he was awarding various items. It is not necessary that speaking award should give detailed reasoned judgment. It is sufficient if the arbitrator makes clear his mind in the award what he has done in the impugned order. In view of the same, we cannot interfere with the High Court on this ground or to refer the matter to a large Bench as particularly this point was not raised before the High Court. This petition fails and is accordingly dismissed. There will be no order as to costs.

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