

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

COMMERCIAL ARBITRATION APPLICATION NO. 113 OF 2021

Reliance Commercial Finance Ltd.Applicant

V/s.

Basix Sub-K ITransactions Ltd.Respondent

Mr. Subir Kumar a/w Ms. Disha Shah i/b SDS Advocates for Petitioner.

Mr. Bomi Patel a/w Ms. Sheetal Sabnis and Ms. Tavishi Chandra i/b. M/s. Kochhar and Co. for Respondent.

CORAM : K.R.SHRIRAM, J.

DATED : 23rd JULY 2021

P.C. :

1. Mr. Subir Kumar and Mr. Patel jointly request, without prejudice to parties' rights and contentions, Justice Mr. S.C. Gupte (Retired), former Judge of this court be appointed as Sole Arbitrator.

2. Accordingly, Justice Mr. S.C. Gupte (Retired) former Judge of this court (Address : 11, Rocky Hill, Narayan Dabholkar Road, Malabar Hill, Mumbai- 400 006, Mobile No.: 9821010104, Email ID : guptesc@gmail.com) is appointed as Sole Arbitrator to arbitrate on all disputes arising out of and/or in connection with and/or relating to Service Provider Agreement dated 30/12/2016, Agreement cum Undertaking dated 29/12/2017 and counter claims, if any.

3. The fees of the learned Arbitrator together with administrative expenses and out of pocket expenses to be fixed by the learned Arbitrator and to be shared equally between the parties and the same will be costs in the arbitral proceedings.

4. Learned counsel agreed, with the intention of saving time and for sake of expediency, either of the party will forward a copy of this order to the learned Arbitrator and the learned Arbitrator to give declaration as required under Section 11 (8) read with Section 12 (1) of the Arbitration and Conciliation Act, 1996 directly to the parties. Once received, a copy of the same will be filed by petitioner in the court to be placed alongwith the Record and Proceedings of this application. If the learned Arbitrator expresses his inability to accept the reference to the parties before entering into reference, parties are at liberty to approach the court for appointment of substitute Arbitrator.

5. Application accordingly stands disposed.

(K.R. SHRIRAM, J.)