

Wadhwa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 129 OF 2023
WITH
COMMERCIAL ARBITRATION APPLICATION NO. 132 OF
2023

Zersis Meherji Daruwalla ...Applicant
Versus
Rehan Dhara Mistry ...Respondent

Mr Anand Mishra, *i/b Ashok M Saraogi, for the Applicant.*
Mr SA Shaikh, *with Shaikh Shafi Ahmed & Afsar Ansari, for the*
Respondent.

CORAM Kamal Khata, J.
DATED: 22nd December 2023

PC:-

1. These Applications are under Section 11 of the Arbitration and Conciliation Act, 1996 (“**Arbitration Act**”) for seeking appointment of an Arbitrator with regard to the disputes that are a subject matter in this Application.
2. Affidavit of Respondent in Arbitration Application No. 129 of 2023 tendered, is taken on record.
3. The parties are unable to decide the name of the Arbitrator.
4. Therefore, I pass the following order:
 - i. I nominate Mr. Aditya Thacker, Advocate, (Cell Number 98215 34225), an Advocate of this Court, as Sole Arbitrator to

adjudicate the disputes between the parties that are the subject matter of the present application.

- ii. The learned Arbitrator is requested to file his disclosure statement, as per Section 11(8) under 12(1) of the Arbitration Act, within four weeks with the Prothonotary and Senior Master and provide copies to the parties.
- iii. Parties to appear before the Sole Arbitrator on a date to be fixed by him at his earliest convenience. This preliminary meeting may be held via Video Conference.
- iv. Fees payable to the Sole Arbitrator will be in accordance with the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.
- v. Both the Arbitration Applications are disposed in the above terms.
- vi. No order as to costs.
- vii. Office to notify the Arbitrator about his appointment.

(Kamal Khata, J)