



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

ARBITRATION APPLICATION NO.231 OF 2021

Transasia Bil-Medicals Ltd.

..... Applicant

Vs.

Late Shakuntala Virendra Jhamb
Through her Executive and Legal
Heir - Poonam Rajan Puri

..... Respondent

None for the Applicant

Mr.Rushabh Seth a/w Mr.Danish Qureshi i/b Mr.Ooril Panchal for the
Respondent

CORAM: FIRDOSH P. POONIWALLA, J.

DATED : 25th AUGUST 2023

P.C.

1. None for the Applicant.
2. This Application has been filed under the provisions of Section 11 of the Arbitration and Conciliation Act, 1996 for appointment of Arbitrator under Clause 18 (Arbitration Clause) of the Leave and License Agreement dated 8th February 2018 entered into between the Applicant and the mother of the Respondent. The mother of the Respondent Shakuntala Virendra Jhamb, who was the original licensor, passed away subsequently on 15th February 2020 and therefore this Application has been filed against the Respondent who is her daughter. The Death Certificate of the original

licensor is annexed at Page 63 of the Application.

3. Subsequent to the entering of the said Leave and License Agreement, the same was terminated by the Applicant by email dated 25th April 2020 addressed to the Respondent. Thereafter, by a letter dated 25th November 2020, the Applicant has invoked arbitration under Clause 18 of the said Leave and License Agreement.

4. Today no one appears on behalf of the Applicant. Mr.Seth, who appears on behalf of the Respondent, states that the Respondent is agreeable to go to Arbitration under clause 18 of the said Leave & License Agreement in respect of all the disputes between the parties arising thereunder, including the counter claims of the Respondent.

5. In these circumstances, following order is passed:

a. Mr.Jehaan Mehta, Advocate of this Court, having address and contact number as; Chambers of Mr.Iqbal Chagla, 5th Floor, Prospect Chambers, Fort, Mumbai 400 001 Mobile No. 98213 23233; is appointed as an Arbitrator to arbitrate upon all disputes arising between the parties under the Leave & License Agreement dated 8th February 2018, including any counter claims of the Respondent.

b. The Arbitrator to file his disclosure as per the provisions of Arbitration and Conciliation Act, 1996, within a period of one week from the date of intimation of this order to him.

c. Advocate for the Respondent will intimate the Arbitrator about

his appointment within a period of one week from the date of uploading of this order.

d. In addition, the Office of the Prothonotary and Senior Master of this Court will also intimate the Arbitrator about his appointment within a period of one week from the date of uploading of this order.

e. The fees charged by the Arbitrator will be as per the Rules framed by this Court in that regard.

f. The Arbitration Application is accordingly disposed of.

(FIRDOSH P.POONIWALLA, J.)