

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 157 OF 2024

Lata Anil Pardeshi ...Petitioner

Versus

Shantanu Anil Pardeshi ...Respondent

Mr Rakesh Reddy, i/b Mahadji Phalke, for the Petitioner.

Mr Om Navnath Latpate, for the Respondent.

CORAM: ARIF S. DOCTOR, J

DATED: 26th November 2024

PC:-

1. The present Arbitration Petition is filed under Section 11 of the Arbitration and Conciliation Act 1996. The disputes and differences have arisen out of a Deed of Partnership dated 16th February 2005. The Petitioner is a mother and Respondent is her son.

2. Today, Learned Counsel for the Respondent submitted that his client does not have any opposition to the appointment of an Arbitrator.

3. Given this, I appoint Mr KP Nandedkar, retired Principal District Judge to act as the sole Arbitrator to decide the disputes and differences between the parties under the Partnership Deed on the following Terms and Conditions.

SHEPHALI
SANJAY
MORMARE

Digitally signed by
SHEPHALI
SANJAY
MORMARE
Date: 2024.11.30
09:31:13 +0530

TERMS OF APPOINTMENT

(a) **Appointment of Arbitrator:** Mr KP Nandedkar, retired Principal District Judge, is hereby nominated to act as a Sole Arbitrator to decide the disputes and differences.

(b) **Communication to Arbitrator of this order:**

(i) A copy of this order will be communicated to the learned Sole Arbitrator by the Advocates for the Petitioner within one week from the date this order is uploaded.

(ii) The Advocates for the Petitioner will forward an ordinary copy of this order to the learned Sole Arbitrator at the following postal and email addresses.

Arbitrator **Mr KP Nandedkar, retired
Principal District Judge**

Address C/o Vineet Kalidas Nandedkar,
Flat No. C-404, Rose Valley
Society, Pimple Saudagar,
Pune 411 027.

Mobile 9767594638

(c) **Disclosure:** The learned Sole Arbitrator is requested to forward, in hard copy or soft copy (or both), the necessary statement of disclosure under Section 11(8) read with Section 12(1) of the Arbitration Act to Advocates for the parties as soon as possible. The Advocates for the

Petitioner will arrange to file the original statement in the Registry. If the statement is forwarded in soft copy, a print out of the covering email is also to be filed in the registry.

- (d) Appearance before the Arbitrator:** Parties will appear before the learned Sole Arbitrator on such date and at such place as the learned Sole Arbitrator nominates to obtain appropriate directions in regard to fixing a schedule for completing pleadings, etc.
- (e) Contact/communication information of the parties:** Contact and communication particulars are to be provided by both sides to the learned Sole Arbitrator. The information is to include functional email addresses and mobile numbers.
- (f) Interim Application/s:**

 - (i)** Liberty to the parties to make an interim application or interim applications including (but not limited to) interim applications under Section 17 of the Arbitration & Conciliation Act, 1996 before the learned Sole Arbitrator. Any such application will be decided in such manner and within such time as the learned Sole Arbitrator deems fit.
 - (ii)** The learned Sole Arbitrator is requested to dispose of all interim applications at the earliest.

- (g) **Fees:** The arbitral tribunal's fees shall be governed by the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.
 - (h) **Sharing of costs and fees:** Parties agree that all arbitral costs and the fees of the arbitrator will be borne by the two sides in equal shares in the first instance.
 - (i) **Consent to an extension if thought necessary.** Parties immediately consent to a further extension of up to six months to complete the arbitration should the learned Sole Arbitrator find it necessary.
 - (j) **Venue and seat of arbitration.** Parties agree that the venue and seat of the arbitration will be in Pune.
4. The Petitions are disposed of in these terms. No costs.

(ARIF S. DOCTOR, J)

Note. This order is modified as per order dated 29th November 2024.