

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

COMM. ARBITRATION APPLICATION NO.147 OF 2024

Galaxy Iec Indi Pvt. Ltd., .. Applicant.
v/s.
Saraf Chemicals Pvt. Ltd., .. Respondent.

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Mr. Rohan Rajyadhaksha with Mr. Suyash Gadre, Mr. Abhishek Thoke, Mr.
Yash Joglekar i/b. Mr. Holambepatil, for the Applicant.
Mr. Rishi Ashok i/b. Bekay Legal, for the Respondent.

CORAM: FIRDOSH P POONIWALLA, J.
DATE : 9th SEPTEMBER, 2024.

PC:-

This Application has been filed under the provisions of Section 11 of the Arbitration and Conciliation Act, 1996 (“the Act”), seeking appointment of an Arbitrator to arbitrate upon all disputes and differences arising between the parties under the Capital Purchase Order dated 9th November, 2021 issued by the Respondents, for supply of equipment, to the Applicant, and Service Purchase Order dated 30th November, 2021 issued by the Respondents to the Applicant for providing services.

2 The Arbitration Agreement between the parties is contained in Clause 43 of the General Conditions of Contract issued by the Respondent to the Applicant.

3 Before this Court, the parties have agreed to appoint Mr. Bhushan Deshmukh, an Advocate practising in this Court, as an Arbitrator to arbitrate upon all the disputes and differences arising between the parties under the aforesaid two purchase orders.

4 In the aforesaid circumstances, the following orders are passed:-

- (a) Mr. Bhushan Deshmukh, an Advocate practising in this Court, is appointed as the Arbitrator to arbitrate upon the disputes and differences between the parties under the Service Purchase Order dated 30th November, 2021, and the Capital Purchase Order dated 9th December, 2021, issued by the Respondents to the Applicant. The contact details of Mr. Bhushan Deshmukh, who is appointed as an Arbitrator, are as under:-

Name :- Mr. Bhushan Deshmukh, Advocate
Mobile No. :- 99302 30235
Address :- 321, Vardhaman Chambers,
 Cawasji Patel Street, Fort,
 Mumbai 400 001.

- (b) The Advocate for the Applicant shall intimate the Arbitrator about his appointment within a period of one week from the date of uploading of this order;
- (c) In addition, the Office of the Prothonotary and Senior Master of this Court shall also intimate the Arbitrator about his

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

- (d) The Arbitrator so appointed to make the disclosure as required under the provisions of the Act within a period of one week from the date of intimation of his appointment;
- (e) The Arbitrator shall charge fees as per the Rules framed by this Court in that regard.
- (f) All costs to be initially shared equally by the parties. This will be subject to the final Award that may be passed by the Arbitrator.

5 The Arbitration Application is disposed of in the aforesaid terms. There will be no order as to costs.

(FIRDOSH P. POONIWALLA,J.)