

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO.245 OF 2024**

M/s Cloudstrats Technologies Pvt Ltd ...Applicant

And

The Brihanmumbai Electric Supply and ...Respondent
Transport Undertaking

Mr. Poornima Eapen, *with Abhishek Gupta, Nadiya Sarguroh and
Allan David, i/b MZM Legal LLP for the Applicant.*

Ms. Kavita Anchan, *i/b ZA Legal Associates, for Respondent.*

CORAM Kamal Khata, J.

DATED: 14th December 2024

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1. The Learned Counsel representing the Respondent on instructions submitted that the Applicant has not met with the Senior Officers of the Respondent as required under Clause 14.21 of the tender dated 2nd March, 2022.

2. Disavowing the same, the Applicant's Counsel contended that her clients have made several attempts in the past to resolve the issues amicably. They have held several meetings – and the statement is backed by emails – one such illustration seen on page 266.

3. However, she had no objection to meet up the Senior Officer/s provided the Respondent would inform them about the name, mobile number or email through which they could be contacted to seek their appointment. Additionally, she requested that the exercise be done within a reasonable time to try and amicably settle the dispute as immense loss and prejudice was caused to them being an MSME.

4. In view of the Applicant's submission I called upon the Respondent's Advocate to find out the name of the concerned person and kept back the matter. After taking telephonic instructions, she gave the name of Mrs. Chandarani Jagdale, Chief Manager, IT, BEST Undertaking who upon being approached by a letter (as per the tender terms) will grant and appointment for holding the meeting.

5. To this, the Applicant's Advocate submits that she will do the needful at her earliest convenience.

6. In view of the above, list the matter on 19th December, 2024 before the regular bench.

(Kamal Khata, J)