

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 76 OF 2024

RBL Bank Limited

... Petitioner

Vs

Moheddin Kutubuddin Shaikh & Anr.

.. Respondents

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signed by
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TALEKAR
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Mr. Pradip Yadav, for Petitioner.

Mr. Y.R. Mishra a/w. Upendra Lokegaonkar, for Respondent Nos. 1 and 2.

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : June 17, 2025

Order :

1. This is a Petition under Section 11 of the Arbitration and Conciliation Act, 1996 (*“the Act”*).
2. Learned Counsel for the parties jointly submits that they consent to proceed to arbitration. Considering the scale of the dispute and the consent of the parties to proceed to arbitration, this Petition is *finally disposed of* appointing an arbitral tribunal in the following terms, without the need for a separate application under Section 11 of the Act :

A] Presolv360, an independent online dispute resolution institution is directed to appoint a sole arbitrator to adjudicate upon the disputes and differences between the parties arising out of and in connection

with the Agreement referred to above and administer the same;

B] The contact particulars of the Director, Presolv360 are set out below:-

Email id : info@presolv360.com
Contact No. - +91-9820167337
Address: 1st Floor, Esperanca Building,
Shahid Bhagat Singh Road, Colaba,
Mumbai – 400 001.

Website: www.presolv360.com

C] A copy of this Order will be communicated to Presolv360 by the Advocate for the Petitioner within a period of one week from today. The Petitioner shall provide the contact and communication particulars of the parties to Presolv360 along with a copy of this Order;

D] It is clarified that Presolv360 being an ODR institution, all proceedings will be conducted online through electronic mode, unless otherwise agreed between the appointed Arbitrator and the parties, with appropriate notification to the administration of Presolv360.

E] The administration of Presolv360 is requested to appoint an independent arbitrator in compliance with the Act and its own rules consistent with the Act as soon as possible and in any event within a period of two weeks from receipt of a copy of this Order;

F] The parties shall provide a valid and functional email address along with mobile and landline numbers of the respective Advocates of the parties to the administration of Presolv360 and any other

particulars as reasonably requested by the administration. Communications to such email addresses shall constitute valid service of correspondence in connection with the arbitration;

G] All arbitral costs and fees of the arbitration shall be borne by the parties equally in the first instance, and shall be subject to any final Award that may be passed by the Tribunal in relation to costs; and

H] The seat of the arbitration shall be deemed to be the same as the seat discernible from the Agreement while the arbitration shall primarily be conducted online.

3. Needless to say, nothing contained in this order is an expression of an opinion on merits of the matter or the relative strength of the parties. All issues on merits are expressly kept open to be agitated before the arbitral tribunal appointed hereby.

4. All actions required to be taken pursuant to this order, shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]