
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 53 OF 2025

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DARSHAN MAHENDRA NIBJYA

....Petitioner

Versus

JAYANTILAL TARACHAND OSWAL & Ors.

....Respondents

CORAM : SOMASEKHAR SUNDARESAN, J.

**Date : March 3, 2025
(In Chambers)**

P.C. :

1. By way of a praecipe, a request was made for speaking to the minutes of the judgement and order dated February 24, 2025, to correct errors. The matter was reviewed in Chambers and this order is passed.

2. In Paragraph 9, sub-clauses (A) to (F) of the Judgment and Order are corrected to read :

A] Smt. Justice R.P. Sondurbaldota (Retd.), a Former Judge of this Court, is hereby appointed as the Presiding Arbitrator along with Adv. Makarand D. Adkar and Adv. S. S. Ray as Co-Arbitrators to adjudicate upon the disputes and differences between the parties arising out of and in connection with the Agreement covered in this Petition. ;

B] A copy of this Order will be communicated to the Learned Presiding Arbitrator and Co-Arbitrators by the Advocates for the

Petitioner within a period of one week from the date on which this order is uploaded on the website of this Court. The Petitioner shall provide the contact and communication particulars of the parties to the Arbitral Tribunal along with a copy of this Order;

C] The Learned Presiding Arbitrator and Co-Arbitrators is requested to forward the statutory Statement of Disclosure under Section 11(8) read with Section 12(1) of the Act to the parties within a period of two weeks from receipt of a copy of this Order;

D] The parties shall appear before the Learned Presiding Arbitrator and Co-Arbitrators on such date and at such place as indicated, to obtain appropriate directions with regard to conduct of the arbitration including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearings etc.

E] At such meeting, 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 Arbitral Tribunal. Communications to such email addresses shall constitute valid service of correspondence in connection with the arbitration;

F] All arbitral costs and fees of the Arbitral Tribunal 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.

3. The rest of the aforesaid order remains unaltered. The original order shall be corrected and made available to the parties. The Praecipe stands disposed of accordingly.

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.]