
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE DIVISION

Arbitration Petition No. 64 of 2025

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NTEX Transportation Services Pvt Ltd

through its Authorized Signatory

Mr. Gaurav Yashvardhan

...Petitioner(s)

Versus

M/s HK Enterprises

through its Authorized Signatory

Hiren Vishnubhai Patel & Anr.

...Respondent(s)

Mr. Niranjan Bhavake a/w. *Drishti Madhani, Swamini Thakur and Anurag Ramekar i/b Bhavake and Associates, for Petitioner.*

Mr. Hirenkumar Patel, *Respondent No. 2 present in-person.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : April 1, 2025

P. C.

1. This Petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (*"the Act"*), seeking appointment of an arbitrator in connection with disputes and differences that are said to have arisen between the parties under the Master Service Agreement dated April 15, 2022 (*"Agreement"*). The arbitration agreement is contained in Clause 7 (found at Page 28 of the Petition). In the interest of brevity, the arbitration agreement is not being extracted here. Suffice it to say that this matter falls within the jurisdiction of this Court.

2. It is apparent from the record that the arbitration agreement was invoked by Petitioner on April 19, 2024. Respondent No. 2 appeared in-person and accepts notice. Respondent No. 2 seeks a short accommodation to be able to take legal advice in the matter. He also submits that connected parties in Gujarat may be already engaged in arbitration proceedings with the Applicant. In these circumstances, it may be appropriate to examine what precise this already before an existing arbitral tribunal to see if economies of scale can be achieved. Since the party has appeared in-person and does not have the able assistance of an advocate, he may be unaware of the limited scope of jurisdiction of the Section 11 Court.

3. In these circumstances, stand over to ***April 15, 2025***. It is made clear that the Respondent may appear through a local advocate in Gujarat who may appear online on the next date. Leave granted for the foregoing.

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.]