
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO.145 OF 2025

Vascon Engineers LimitedPetitioner

Versus

M/s Adhiraj Constructions Private LimitedRespondent

Mr. Ativ Patel a/w *Mr. Harshad Vyas i/b M/s AVP Partners,*
Advocates for Petitioner.

Ms Namrata Vashisth a/w. *Rishi Patodia i/b Jayakar &*
Partners, Advocates for Respondent.

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JUNE 18, 2025

ORDER :

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 a Work Order dated February 11, 2021 (*"Agreement"*). The arbitration agreement is contained in Clause 38 (found at Page 39 of the Petition) of the Agreement. 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. Learned Counsel for the parties jointly submit that another dispute between them relating to another agreement involved in the Commercial Arbitration Application (L) No.10866 of 2025 are being adjudicated by a Learned Sole Arbitrator. They request that the present proceedings also be disposed of by referring all disputes and differences between them to the same arbitrator.

3. In these circumstances, this Petition is *finally disposed of* by referring all disputes and differences covered by this proceeding to arbitration by the Learned Sole Arbitrator hereby appointed in the following terms:-

A] Justice Rajendra Savant, a former judge of this Court hereby appointed as the Sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of and in connection with the Agreement referred to above. The contact details of the Arbitrator is as under :-

Office Address : Unit No.32, 3rd Floor,
"Shanti" Building 6,
Banaji Street, Fort,
Mumbai – 400 001.

E-mail : rajendramsavanto7@gmail.com.

B] A copy of this Order will be communicated to the Learned Sole Arbitrator by the Advocates for the Petitioner within a period of one week from today. 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 Sole Arbitrator 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 Sole Arbitrator 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. 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 and;

E] 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.

4. 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.

5. 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.]