

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

ARBITRATION PETITION NO. 210 OF 2025

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Rajendra Shankarrao Kutte

... Petitioner

Vs.

1. Krishnasanjay Jiwaji Anikhindi

2. Ajay Nathuram Kadam

.. Respondents

Mr. Siddharth C. Wakankar, for Petitioner.

None for Respondents.

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : November 10, 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 Partnership Deed dated July 29, 2011 (***“Agreement”***). The arbitration agreement is contained in Clause 30 (found at Page 26 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 the Petitioner on June 11, 2025.

3. The parties have no quarrel with the existence of the arbitration agreement and jointly submit that the Petition may be allowed appointing an arbitral tribunal. In these circumstances, the arbitral tribunal is hereby appointed in the following terms :

A] Mr. Yuvraj Narvankar, an advocate of this Court, (yuvraj.narvankar@yahoo.com) is 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;

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 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 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 Advocates for the Petitioner so as to enable them to file the same in the Registry of this Court. The Registry of this Court shall retain the said Statement on the file of this Petitioner and a copy of the

same shall be furnished by the Advocates for the Petitioner to the Respondents;

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;

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 Arbitral 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. The Petition is *finally disposed of* in the aforesaid terms.
6. In view of the disposal of the proceedings, attendant Interim Applications, if any, also stand *disposed of*
7. 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.]