

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 221 OF 2025

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1. Globomet Engineering Private Limited
2. Ajit Agharka
3. Anil Seetaram Vaidya

...Petitioners

Versus

1. TJSB Sahakari Bank Ltd.
2. Reliance Asset Reconstruction
Company Ltd.
3. Mahindra and Mahindra
Financial Services Ltd.

...Respondents

Mr. Amit Singh *a/w. Bhushan Bhadgale i/b Abhay Nevagi and Associates, for Petitioners.*

Mr. Nikhil Rajani *i/b M/s. V. Deshpande & Co., for Respondents.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : November 24, 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 an Agreement dated August 7, 2020 (*"Agreement"*). The arbitration agreement is contained in Clause XII (found at Page 33 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 Petitioners on December 30, 2024, to which there was no reply. The parties have consensus to proceed to arbitration. In these circumstances, this Petition is hereby *finally disposed of*, in terms of the following order:

A] Mr. Naushad Engineer, a senior advocate of this Court, and failing him, Mr. Vishal Kanade, an advocate of this Court, 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;

Adv. Naushad Engineer : 1D, Lentin Chambers,
Dalal Street, Near BSE, Fort, Mumbai – 400 001.

Adv. Vishal Kanade : 103, Gundecha Chambers,
Fort, Mumbai -400 023.

B] A copy of this Order will be communicated to the Learned Sole Arbitrator by the Advocates for the Petitioners within a

period of one week from the date on which this order is uploaded on the website of this Court. The Petitioners 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;

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.

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. In view of the disposal of the proceedings, attendant Interim Applications, if any, also stand *disposed of*.

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.]