

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 12118 OF 2025
IN
ARBITRATION PETITION NO.173 OF 2022

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Pankaj Amrutlal Navalakha

...Applicant/Petitioner

Versus

M/s Sumer Landmarks

...Respondent

Mr. Vedant Bende *h/f Adv. Mandar Limaye, for Applicant.*

None for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : December 17, 2025

ORDER :

1. This is an application seeking substitution of an arbitrator in the matter where the counter party has chosen not to participate.

2. Affidavit of service dated December 11, 2025 is taken on record. Considering the scale of the dispute involved, and the fees scheduled by the institution appointed on the last occasion, a case has been made out for substitution. The arbitrator is hereby substituted in the following terms :

a) ADReS Now, an independent online dispute resolution institution is directed to appoint a 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) The contact particulars of the Registrar, ADReS Now are set out below:-

Email ID: registry@adresnow.com
Address: 63, Palace Road, Vasanthnagar,
Bengaluru, 560001.
Website: www.adresnow.com

- c) A copy of this Order will be communicated to ADReS Now 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 ADReS Now along with a copy of this Order;

- d) It is clarified that ADReS Now being an ODR institution, all proceedings will be conducted online through electronic mode, unless otherwise agreed between the appointed Arbitrator and the parties,

with appropriate notification to the Registry of ADReS

Now;

- e) The Registry of ADReS Now is requested to appoint an independent arbitrator in compliance with the Act and its own rules consistent with the Act as soon as possible and in any event within a period of two weeks from receipt of a copy of this Order;
- f) 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 Registry of ADReS Now and any other particulars as reasonably requested by the Registry. Communications to such email addresses shall constitute valid service of correspondence in connection with the arbitration;
- g) All arbitral costs and fees of the arbitration 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; and

h) The seat of the arbitration shall be deemed to be the same as the seat discernible from the Agreement while the arbitration shall primarily be conducted online.

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. The Interim Application is *disposed of* in the aforesaid terms.

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.]