

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

501-COMMERCIAL ARBITRATION APPLICATION NO. 364 OF 2025
WITH
INTERIM APPLICATION (L) NO. 17405 OF 2025
AND

502-COMMERCIAL ARBITRATION APPLICATION NO. 365 OF 2025
WITH
INTERIM APPLICATION NO. 1324 OF 2025
AND

503-COMMERCIAL ARBITRATION APPLICATION NO. 366 OF 2025
WITH
INTERIM APPLICATION NO. 1321 OF 2025
AND

504-COMMERCIAL ARBITRATION APPLICATION NO. 366 OF 2025
WITH
INTERIM APPLICATION (L) NO. 17464 OF 2025
AND

505-COMMERCIAL ARBITRATION APPLICATION NO. 368 OF 2025

Era Infra Engineering Ltd.,
through its Resolution Professional
Rajiv Chakraborty

...Applicant

Versus

Department of Atomic Energy

...Respondent

Mr. Akash Menon *a/w. Suvangana Agarwal and Anjana Vijay, for Applicant.*

Mr. Ajinkya Jaibhave, *for Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE: SEPTEMBER 23, 2025

Order :

1. By consent, the parties have consensus on proceeding to arbitration in respect of the disputes and differences referred to in all the captioned applications filed under Section 11 of the Arbitration and Conciliation Act, 1996 (“*the Act*”). In other words, the parties have no quarrel about either the existence of the agreement or the consent to proceed to arbitration.

2. In these circumstances, this order is not being burdened with further details of the dates of invocation notices etc. and the arbitral tribunal is hereby constituted by consent of the parties, in the following terms :

A] Justice (Retd.) R.D. Dhanuka, former Chief Justice 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. The contact particulars of the arbitrator are set out below :

Office Address:- 131, Mittal Tower, C-wing,
Barrister Rajani Patel Marg, Nariman Point,
Mumbai – 400 021.

Email – rameshdhanuka5@gmail.com

B] A copy of this Order will be communicated to the Learned Sole Arbitrator by the Advocates for the Applicant within a period of one week from the date on which this order is uploaded on the website of this Court. The Applicant 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. All the captioned applications stand *finally disposed of* in the following terms.

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

6. 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.]