

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

ARBITRATION PETITION NO. 11 OF 2025
AND
ARBITRATION APPLICATION (L) NO. 18676 OF 2025

Saurashtra CHS Ltd.

...Petitioner

Versus

Sayla Realtors

...Respondent

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Mr. Shrey Fattercekar *a/w. Hena Gothi i/b Omkar Khanvilkar,*
for Petitioner.

None for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : SEPTEMBER 25, 2025

PC :

1. This is a Petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 ("***the Act***"). in connection with disputes and differences that are said to have arisen between the parties.

2. By an order dated February 7, 2025, it was directed that the original title documents to the properties belonging to the Petitioner be deposited by the Respondent with the registry of this Court as an *interim* measure. An application of the Section 11 of the Act was sought.

3. Although an application under Section 11 being Arbitration

Application (L) No. 18676 of 2025 is said to have been filed, the same is not board today. By consent of the parties, the same is taken on board. Since the existence of an arbitration agreement is not denied, an Arbitral Tribunal is hereby appointed in the following terms:

A] Mr. Amogh Singh, a learned 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;

Office Address:-521, Commerce House, Nagin Das
Master Road, Fort, Mumbai – 400 001.

Email - amogh.singh9@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 Advocates for the Applicant 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 Application and a copy of the same shall be furnished by the Advocates for the Applicant to the Respondent;

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 Section 9 petition stands converted into an application under Section 17 of the Act. The title documents deposited with the registry of this Court shall abide by such directions issued by the Learned Arbitral Tribunal. It shall be completely open to the Arbitral Tribunal to issue such directions even as an *interim* basis as the tribunal

deems fit. Both the captioned proceedings are ***finally disposed of*** in the aforesaid terms.

6. The attendant Interim Application, if any, shall also stand disposed of.

7. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]