
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.110 OF 2024

Admirecon Infrastructure Pvt. Ltd.Petitioner
Versus
Raag Co-Operative Housing Society Limited ...Respondent

WITH
COMMERCIAL ARBITRATION PETITION (L) NO.19112 OF 2023
(NOT ON BOARD)

Raag Co-Operative Housing Society Ltd.Petitioner
Versus
Admirecon Infrastructure Pvt. Ltd. ...Respondent

Petitioner was represented, but the appearance has not been submitted.

Mr. Sushant Valimbe, Advocate for Respondent.

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : AUGUST 25, 2025

ORDER :

1. These are the Petitions under Section 34 of the Arbitration and Conciliation Act, 1996 (*“the Act”*).
2. Learned Counsel for the parties have consensus that each of them being aggrieved by the Impugned Award, the Impugned Award may be set aside for consideration afresh by an Arbitral Tribunal to be appointed by this Court. In these circumstances, both the captioned

proceedings are allowed setting aside the Impugned Award for consideration of the dispute afresh by the Arbitral Tribunal to be appointed in the following terms:-

A] Mr. Vaibhav Charalwar, 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:- Chambers of Dr. Birendra Saraf,
302, Oval House, Nagindas Master Road,
Kala Ghoda, Mumbai 400001.
Email : vaibhavcharalwar@gmail.com

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 of upload of this order. 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 these Petitions and a copy of the same shall be furnished by the Advocates for the Petitioner to the Advocates for 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 Tribunal in relation to costs.

3. The parties do not have consensus on the pleadings already made by them being considered by the Arbitral Tribunal without the need for fresh filing of pleadings. However, considering the time and energy spent in the matter, the Learned Arbitral Tribunal is requested to examine the existing pleadings and minimize the need to re-invent the wheel and any wasteful expenditure of time and resources, also bearing in mind the power to impose costs on any unreasonable conduct by either party.

4. 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.]