

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

**COMM. ARBITRATION PETITION (L) NO.21746 OF 2023
WITH
ARBITRATION PETITION NO.325 OF 2024**

Petrocon Engineering & Inspection Pvt. Ltd.Petitioner
Versus
Tata Project LimitedRespondent

Mr. Devesh Sawant *i/b. Vivek Patil & Associates, Advocate for Petitioner.*

Ms Sushma Nagaraj *a/w Ms Shreya Singhi, Advocates for Respondent.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : APRIL 24, 2025

PC :

COMMERCIAL ARBITRATION PETITION (L) NO.21746 OF 2023

1. Learned Counsel for the Respondent submits that without prejudice to all rights and contentions including the objection as to jurisdiction, she has instructions to agree to proceed to arbitration before Mr. Cyrus Bharucha, Learned Advocate of this Court acting as a sole arbitrator. The Arbitral Tribunal shall decide all matters including the issue of jurisdiction of the Arbitral Tribunal. In these circumstances, taking on board the consent of the parties, the Petition

is *finally disposed of* referring the parties to arbitration by the arbitrator as aforesaid.

ARBITRATION PETITION NO.325 OF 2024

2. This Petition shall be converted into an application under Section 17 of the Act for consideration by the Arbitral Tribunal hereby appointed.

3. Both the proceedings are *finally disposed of* in the aforesaid terms.

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.]