

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION APPLICATION NO. 140 OF 2024

Rotadrill India Pvt. Ltd. ...Applicant

Versus

Rinfra – Astaldi Joint Venture & Ors ...Respondents

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : APRIL 9, 2025

(IN CHAMBERS)

PC :

1. By an order dated January 13, 2025, I had appointed Ms. Alpana Ghone, an advocate of this Court as the Sole Arbitrator based on the joint request made by the Learned Counsel for the parties.

2. A praecipe has been moved by the Applicant enclosing a letter dated February 28, 2025, from the Learned Arbitrator who has recused based on reservation from the Applicant, realised after having seen the statement of disclosure made by the Learned Arbitrator, disclosing that the Learned Arbitrator had been engaged as a Counsel representing Anil Ambani Group of Companies in the past.

3. Therefore, it would be necessary to substitute the Learned

Arbitrator pursuant to the letter dated February 28, 2025 from the Learned Arbitrator, communicating the recusal.

4. In these circumstances, paragraph 3 and 3(a) of the order dated January 13, 2025 is hereby replaced as follows:

3. Since the disputes are not settled till date, and upon being asked by the Court if the parties have the name of an agreed arbitrator, before whom the parties can still settle their disputes and differences, the parties have jointly proposed the name of Mr. Aseem Naphade, who is hereby appointed as the Sole Arbitrator. In these circumstances the following order is passed:-

a) Mr. Aseem Naphade, 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. The contact particulars of the arbitrator are as under:-

Office Address:-

Add: 31, Shanti Building,

3rd Floor, Banaji Street,

Fort, Mumbai- 400 001

Email ID: aseem1112@gmail.com

5. I have passed this order in Chambers without expending further time on listing the matter on the cause-list.

6. The rest of the aforesaid order remains unaltered. The original order shall be corrected and be made available to the parties. The praecipe stands disposed of accordingly.

7. 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.]