

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION APPLICATION NO.343 OF 2025  
WITH  
CONTEMPT PETITION (L) NO.27678 OF 2023  
IN  
COMMERCIAL ARBITRATION PETITION (L) NO.33631 OF 2022  
WITH  
COMMERCIAL ARBITRATION PETITION (L) NO.33631 OF 2022

PCI Pest Control Private Limited

....Applicant

Versus

Sunbro Engineering

....Respondent

**Ms. Shaista Pathan** a/w. *Ms Vasudha Gupta & Ms Mehak Paryani i/b. YNA Legal, LLP, Advocates for Petitioner/Applicant.*

**Mr. Avinesh V** a/w. *Mr. Trinity Rebello i/b. J Law Associates, Advocates for Respondent.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : OCTOBER 14, 2025

ORDER :

**COMMERCIAL ARBITRATION APPLICATION NO.343 OF 2025.**

1. Since the arbitration agreement entails arbitration by the Bombay Chamber of Commerce and admittedly the Bombay Chamber of Commerce has not even been approached so far, the filing of Section 11 Application is premature and is misconceived. Liberty to file afresh

should the Bombay Chamber of Commerce fail to appoint an arbitrator. Commercial Arbitration Application No.343 Of 2025 is hereby ***finally disposed of.***

**COMMERCIAL ARBITRATION PETITION (L) NO.33631 OF 2022**

1. As regards this Section 9 Petition, it is strenuously argued that the competing annexures to the arbitration agreement filed by the respective parties would indicate that the Article X in agreement in question does not cover the products of which the parties had a commercial relationship. This would need to be specifically dealt with by the Petitioner. Stand over to ***November 4, 2025*** for further consideration.
2. 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.]**