

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

ARBITRATION PETITION NO. 393 OF 2025

Garima Mehta

...Petitioner

Versus

Amar Rajendra Butala & Anr.

...Respondent

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Mr. Archit Jayakar a/w. *Atharva Gade and Namrata Vashisht i/b Jayakar & Partners, for Petitioner.*

Ms. Gulnar Mistry a/w. *Munaf Virjee and Tirtha Mukherjee i/b AMR Law, for Respondent No. 1.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : SEPTEMBER 26, 2025

PC :

1. This is a Petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 (“*the Act*”).

2. After the matter was argued for some time, the parties have consensus on proceeding to arbitration. An initial objection stating that once an arbitrator is named by one of the parties, that the other side is not appointing its nominee, the originally nominated arbitrator would be a sole arbitrator, is a position, that is not being pressed.

3. In these circumstances, having regard to the consensus between the parties to proceed to arbitration, an arbitral tribunal is appointed in the following terms:

A] Mr. Ranjeev Carvalho, 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 are as under :

Office Address:- 501, 502, Shanti Building, Banaji Street,
Fort, Mumbai – 400 001.

Email – ranjeev.carvalho@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 parties within a period of two weeks from receipt of a copy of this Order;

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 Petition under Section 9 of the Act is converted into an application under Section 17 of the Act for appropriate consideration by arbitrator. The parties shall approach the arbitrator within a week from the upload of this order. The Arbitrator is requested to convene within a week of being approached to issue directions to the parties on how to proceed further. A reply to this petition may be filed within a period of

two weeks from today directly before the arbitral tribunal so that the parties do not spend further time on taking directions only on filing of pleadings.

6. The captioned proceedings and the attendant interim application, if any, stand ***finally 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.]