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

ARBITRATION APPLICATION NO. 34 OF 2025

Gale Insurance and Financial Advisors Ltd. ...Applicant(s)
Versus
Aditya Birla Sun Life Insurance Company Ltd. ...Respondent(s)

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Mr. Avinash Tripathi i/b Mr. Karthic Iyer, for Applicant.
None for Respondent(s).

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : May 7, 2025

P. C.

1. An affidavit tendering unconditional apology filed by Ms. Geeta Singh dated April 30, 2025 is tendered by Learned Counsel for the Applicant. The affidavit is taken on record. Learned Counsel also assures to the Court that a substitute arbitrator would be treated with utmost dignity and respect in the conduct of the proceedings.

2. Since the earlier arbitrator has recused from the matter, it would be necessary to substitute the arbitral tribunal, also taking into account the apology tendered in Court.

3. In these circumstances, the Learned Sole Arbitrator who has resigned is hereby substituted 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:-C/o. Chambers of Dr Birendra Saraf, 302, Oval House, British Hotel Lane, Kala Ghoda, Mumbai - 400001.

Mobile No. :9820512260

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 Advocates for the Applicant 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 this Application and a copy of the same shall be furnished by the Advocates for the Applicant to 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.

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. 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.]