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

ARBITRATION APPLICATION NO. 220 OF 2024

Nitin Suresh Shinde

...Applicant

Versus

Madhuri Mohan Shingare

...Respondent

Advocate for the Parties appeared but appearance not tendered.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : APRIL 23, 2025

PC :

1. This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (“*the Act*”), seeking appointment of an arbitrator in connection with disputes and differences that are said to have arisen between the parties under a Partnership Deed dated October 15, 2015 (“*Agreement*”). The arbitration agreement is contained in Clause 23 (found at Page No.33 of the Petition). In the interest of brevity, the arbitration agreement is not being extracted here. Suffice it to say that this matter falls within the jurisdiction of this Court.

2. Today, when the matter is called out, Learned Counsel for the Respondent submits that the existence of the arbitration agreement is not in dispute and the Respondent is willing to proceed to arbitration.

3. In these circumstances, taking consent of the parties on board, this Section 11 Application is *finally disposed of* recording their consent

that Mumbai shall be the seat of arbitration, in the following terms:-

A] Ms. Lizum Wangdi, a Learned Advocate of this Court is hereby appointed as the Sole Arbitrator to adjudicate upon the disputes and differences between the parties;

Address:- 205, 2nd Floor, Arcadia, NCPA Marg,
Nariman Point, Mumbai – 4000 021.

Email – lizumw@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 of upload of this Order 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 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.]