
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION APPLICATION NO.62 OF 2024

Triton Communications Pvt. Ltd.

...Applicant

Versus

SAMCO Securities Limited

...Respondent

Mr. Diksha Sunand Sabramaniam *i/b. Rishi Muraria. Advocate for Applicant.*

Mr. Onkar Gawade, *Advocate for Respondent.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JANUARY 29, 2025

PC :

1. This is an Application under Section 11 of the Arbitration and Conciliation Act, 1996 (***“the Act”***) seeking appointment of an arbitrator in connection with disputes and differences arising out of a Creative & Strategic Communications Services Agreement dated September 28, 2017. The arbitration agreement between the parties is contained in Clause V which is found on Page 34 of the Application. In the interest of brevity, the same is not being extracted here. Suffice it to say, the issue falls within the jurisdiction of this Court.

2. The arbitration was invoked by a letter dated January 25, 2024. There has been no reply to the invocation notice.

3. Today, when the matter is called out, both the parties are before me and after examining the record, I find that an arbitration agreement is in existence. I see no useful purpose being served by letting this application continue to remain pending on the docket of this Court.

4. In these circumstances, the Application deserves to be allowed, and consequently, we pass the following order:

a] Ms Namrata Vinod, 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 details of the Learned Arbitrator are set out below:-

Address : Chambers of Mr. Janak Dwarkadas,
3rd Floor, Mulla House,
51, Mahatma Gandhi Road,
Fort, Mumbai – 400 001.
Email : namrata.vinod@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 this order being made available 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; and

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.

5. This Application is ***finally disposed of*** in the aforesaid terms.

6. 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.]