
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION APPLICATION NO. 65 OF 2025

M/s Tata Motors Limited ...Applicant

Versus

The Director, Animal Husbandry Department, State ...Respondent
of Andhra Pradesh

Mr. Aditya Khandeparkar a/w *Mr.Gaurav Patole, i/b*
Khandeparkar law Office for the Applicant.

Appearance not received for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : APRIL 4, 2025

PC :

1. This Application has been filed 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 an Agreement dated September 8, 2022 (“***Agreement***”).

2. By an order dated March 13, 2025, I had nominated an arbitrator on behalf of the Respondent, who had remained absent. It is a matter of public record that the arbitrator so nominated by me has since passed away.

3. In these circumstances, the order dated March 13, 2025 would need to be modified by naming a different nominee on behalf of the Respondent. There is also an error in the earlier order since the arbitrator appointed by me was meant to a nominee arbitrator on behalf of the Respondent, with the two nominee arbitrators having to select the presiding arbitrator.

4. In these circumstances, paragraph 3 and 4 of the order dated March 13, 2025 shall stand replaced as follows:

3. *Since the Applicant has already nominated an arbitrator, the nominee arbitrator of the Respondent is hereby appointed. Justice (Retd.) Ms. Anuja Prabhudesai, former judge of this Court shall be the nominee arbitrator appointed by this Court on behalf of the Respondent. The two nominee arbitrators hereby appointed shall appoint the presiding arbitrator. The parties shall approach the Arbitral Tribunal so constituted for further instructions in the matter.*

4. *In these circumstances, this Application is finally disposed of by referring all disputes and differences covered by this*

proceeding to arbitration by the three-member arbitral tribunal constituted as set out above.

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.]