
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM. ARBITRATION APPLICATION NO. 244 OF 2024

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TATA Capital Limited
Versus
Junaid Gani & Ors.

...Applicant
...Respondents

Mr. Nikhil Mehta *i/b KMC Legal Venture , Advocate for Applicant.*

Mr. Paarth Singh *i/b Mr. Manan Sanghai, for Respondents.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : January 8, 2025

P. C.

- 1.
2. This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (*"the Arbitration Act"*).
3. Today, when the matter is called out, the parties consent to refer their disputes to arbitration to be conducted by Mr. Rajesh Khandelwal, an Advocate of this Court to act as a Sole Arbitrator.
4. Hence, the following is passed :
 - a. Mr. Rajesh Khandelwal, Learned Advocate 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 in the Application. The contact details of the arbitrator is as under :

Address : 422, Midas, Sahar Plaza, Andheri Kurla
Road, J.B. Nagar, Andheri East,
Mumbai 400 059.
Contact No. : 022-40138009
Email : rajeshkhandelwal@jurislink.co.in

- b. A copy of this Order shall be communicated to the Learned Sole Arbitrator by the Advocates for the Applicant within a period of one week from today. 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 Arbitration 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 approach the arbitrator for issuance of directions on or before January 16, 2025. The arbitrator shall give them directions on how to take the matter forward. 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. And ;
 - f. The parties have agreed that the venue and seat of the arbitration will be in Mumbai. It is clarified that it shall be open to the Arbitral Tribunal to conduct the proceedings online through electronic mode.
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.]