

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION PETITION NO.62 OF 2025

Tata Motors Finance LimitedPetitioner

Versus

D. P. Jain And Co Infrastructure Pvt. Ltd. & Anr. ...Respondents

Mr Abhisehk Bhaduri *a/w. Abhayjeet Khairwar, Arif Ansari, Saloni Makhan & Sarvesh Yemul i/b. Ravi Goenka, Advocates for Petitioner.*

Ms. U. Shaikh *i/b. Vayuard Law Group, Advocate for Respondent No.1.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : JULY 31, 2025

ORDER :

1. This Petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (*"the Act"*).
2. Learned Counsel for the Respondents submits that he has no quarrel with the existence of an arbitration agreement and Respondents are willing to proceed to arbitration forthwith. In these circumstances, all disputes and differences covered by this Petition stand referred without the need for filing a formal Application under Section 11 of the Act.

3. The parties are hereby referred to arbitration by consent and these proceedings shall be converted into proceedings under Section 17 of the Act. The Learned Arbitral Tribunal shall convene at the earliest to hear the parties and decide what is to be done with the interlocutory arrangements obtaining till date,

4. In these circumstances, this Petition is hereby ***finally disposed of***, in terms of the following order:

A] ADReS Now, an independent online dispute resolution institution is directed to appoint a sole arbitrator to adjudicate upon the disputes and differences between the parties arising out of and in connection with the Agreement referred to above;

B] The contact particulars of the Registrar, ADReS Now are set out below:-

Email id : registry@adresnow.com

Address: 63, Palace Road,

Vasanthnagar, Bengaluru, 560001.

Website: www.adresnow.com

C] A copy of this Order will be communicated to ADReS Now by the Advocates for the Petitioner within a period of one week from the date on which this order is uploaded on the website of this Court. The Petitioner shall provide the contact and communication particulars of the parties to ADReS Now along with a copy of this Order;

D] It is clarified that ADReS Now being an ODR institution, all proceedings will be conducted online through

electronic mode, unless otherwise agreed between the appointed Arbitrator and the parties, with appropriate notification to the Registry of ADReS Now;

E] The Registry of ADReS Now is requested to appoint an independent arbitrator in compliance with the Act and its own rules consistent with the Act as soon as possible and in any event within a period of two weeks from receipt of a copy of this Order;

F] 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 Registry of ADReS Now and any other particulars as reasonably requested by the Registry. Communications to such email addresses shall constitute valid service of correspondence in connection with the arbitration;

G] All arbitral costs and fees of the arbitration 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

H] The seat of the arbitration shall be deemed to be the same as the seat discernible from the Agreement while the arbitration shall primarily be conducted online.

5. 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 Learned Arbitral Tribunal appointed hereby.

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.]