
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO.398 OF 2025

Bright Outdoor Media Pvt. Ltd.Applicant
Versus
Union of India & Ors.Respondents

Mr. Mohammed Zain Khan *a/w. Ashraf Kapoor i/b. One Legal, Advocate for Applicant.*

Mr. Rishi Ashok *i/b. B K Ashok, Advocates for Respondents.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : SEPTEMBER 25, 2025

ORDER :

1. This Petition under Section 15 of the Arbitration and Conciliation Act, 1996 (***“the Act”***) seeks to substitute the Sole Arbitrator appointed in this matter.
2. Learned Counsel for the parties jointly submit that the Learned Arbitrator would be legally unable to continue as an Arbitrator in view of his elevation as a Judge. In these circumstances, the Arbitral Tribunal is substituted in the following terms:-

A] Mr. Nimay Dave (nimaydave@gmail.com), 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;

B] A copy of this Order will be communicated to the Learned Sole Arbitrator by the Advocates for the Petitioner within a period of one week from the date of upload of this order. The Petitioner 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.

F] The arbitrator is requested to convene at the earliest and deal with these proceedings, considering that this would be the third round of a tribunal being formed for the very same dispute.

3. This Petition is ***finally disposed of*** in the aforesaid terms.
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.]