
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION APPLICATION NO.214 OF 2025

Ramakrishna Rajeev B

....Applicant

Versus

Larsen and Toubro Limited

....Respondent

Mr. Yash Jain *i/b.. Halal & Co., Advocate for Applicant.*

Mr. Mohit Advani *a/w. Sanaya Dadachanji & Owais Sayani i/b.
Manilal Kher Ambalal & Co., Advocates for Respondent.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : SEPTEMBER 25, 2025

ORDER :

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 that are said to have arisen between the parties under an Agreement dated April 20, 2012 (***“Agreement”***). The arbitration agreement is contained in Clause 15 (Found at Page No.31 of the Application) of the Agreement. In the interest of brevity, the arbitration agreement is not being extracted here. Suffice it to say that this matter falls within the jurisdiction of this Court.

2. It is apparent from the record that the arbitration agreement was invoked by Applicant on July 9, 2024. Consequently, no useful purpose would be served in keeping this Application pending on the docket of this Court any further.

3. The parties have no quarrel with proceeding to arbitration or on the identity of the arbitrator. However, Learned Counsel for the Respondent would submit that an opportunity ought to be given to explore mediation in the matter. To enable the parties to explore mediation, the effect of this appointment is hereby deferred by a period of four weeks from the upload of this order. Should the parties manage to settle the disputes, the arbitrator need not enter the reference. The Learned Arbitrator is requested to act as an *amiable compositeur* in the first instance and examine whether the disputes can be resolved before formally commencing arbitration.

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

A] Mr. Ranjeev Carvalho, an 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;

Office Address:- Office Add- 501, 502,
Shanti Building, Banaji Street, Fort,
Mumbai – 400 001.

Email :- ranjeev.carvalho@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 upload of this order. 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;

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. 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.

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.]