
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION NO. 189 OF 2025

Pawan Rambahadur Yadav ...Petitioner

Versus

Ibrahim Kadar Mujawar & Anr ...Respondents

Mr.Shadab Jan, a/w Ajay Bhise, Tejas Dhotre, for the
Petitioner.

Mr. D.J. Shejul, a/w Palaspagar, for Respondents.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : MARCH 26, 2025

PC :

1. This Petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996 (***“the Act”***), seeking certain ad interim interlocutory reliefs in connection with disputes and differences that are said to have arisen between the parties under the LLP Agreement dated October 21, 2023 (***“LLP Agreement”***).

2. Today, when the matter is called out, Learned Counsel for the parties jointly submit that the parties have no dispute about the

existence of an arbitration agreement, which is essentially at Clause 54 found at pages 50 and 51 of the LLP Agreement.

3. The Section 9 Petition shall be treated as an Application under Section 17, and it is also the arbitral tribunal to determine what interim measures, if any, would be required to be passed pending the arbitration.

4. In these circumstances, the disputes and differences between the parties as covered in the Section 9 Petition are hereby, by consent of the parties, referred to arbitration by a Learned Sole arbitrator in the following terms:

- a) Ms. Aneesa Cheema, 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;

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- b) A copy of this Order will be communicated to the Learned Sole Arbitrator by the Advocates for the Petitioner 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 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. In these circumstances, this Petition is ***finally disposed of*** in the aforesaid terms.

6. The parties shall approach the arbitral tribunal appointed hereby within a period of one week from the date on which this order is uploaded on the website of this Court. The Learned Arbitrator is requested to convene a meeting at the earliest to determine if any interim measures would be necessary, particularly, since the Petitioner

complains that he has been expelled from the LLP after this Petition was filed.

7. 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.]