
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

Commercial Arbitration Petition NO. 214 OF 2025

M/s. SKM Steels Limited

...Petitioner(s)

Versus

Macrotech Developers Limited

...Respondent(s)

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signed by
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Mr. Ankit Lohia a/w *Mr. Rubin Vakil, Mr. Manan Bhindora i/b Markand Gandhi & Co., for Petitioner.*

Respondent was represented but appearance has not been submitted.

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : May 7, 2025

P. C.

1. This is a Petition under Section 9 of the Arbitration and Conciliation Act, 1996 (“*the Act*”).

2. Having heard the parties, it would be appropriate to accept a suggestion that this Petition would be converted into an Application under Section 17 of the Act sending the parties to arbitration forthwith. The parties have consented to proceed to arbitration. The arbitral tribunal is requested to hear the parties at the earliest on the interlocutory arrangement that may be necessary in the aid of the arbitration to be underway.

3. In these circumstances, an arbitral tribunal is hereby constituted by consent of the parties, in the following terms :

A] Ms. Pooja Kshirsagar-Kane, 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. The contact particulars are set out below :

Office Address:- 306, Seksaria Chambers,
Nagindas Master Road, Kalaghoda, Mumbai -
400023.

Email : pskshirsagar@yahoo.com

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 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.

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.]