

rajshree

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

COMMERCIAL ARBITRATION PETITION NO. 1041 OF 2025

Taha International for Industrial Services WLLPetitioner
V/S

Runaya Refining LLPRespondent

ALONGWITH

**COMMERCIAL ARBITRATION PETITION(L) NO.26610 OF 2025
(NOT ON BOARD TAKEN ON BOARD)**

Runaya Refining LLPPetitioner
V/S

Taha International for Industrial Services WLLRespondent

Dr.Birendra Saraf a/w Rohan Savant, Pooja Tidke, Monisha Mane Bhangale, Bijal Vora and Chandragupta Pail i/b Parinam Law Associates for the Petitioner in CARBP No.1041/2025 and for the Respondent in CARBP(L) No.26610/2025.

Mr.Gaurav Joshi, Senior Counsel (Through VC) a/w Anand Mohan, Hiren Kamod, Abhishek Kale, Shalvika Nachankar, Aditya Ojha and Meenakshi Krishna i/b Naik Naik & Co. for the Respondent in CARBP No.1041/2025 and for the Appellant in in CARBP(L) No.26610/2025.

CORAM : BHARATI DANGRE, J.

DATE : 21st NOVEMBER, 2025.

P.C.

1. Two Arbitration Petitions deserve disposal in the wake of the consensus being arrived by the respective counsel representing the Petitioners that the disputes have arisen between them out of the Technology License Agreement dated 21/04/2017 and further Supplemental Agreement dated 14/01/2022, can be referred to the Sole Arbitrator .

Despite existence of clause in the Agreement, in form of Dispute Resolution in Clause 17.2.2(d) prescribes that the arbitration shall be conducted by a Panel consisting of three (3) arbitrators, one to be appointed by each party and the two Arbitrators appointing the third Arbitrator to act as Chairman of the panel, a consensus is arrived at to have dispute resolution through a Sole Arbitrator.

It is also agreed that the respective Section 9 Petitions shall be treated as Applications under Section 17 of the Arbitration and Conciliation Act, 1996 and the Parties may be permitted to file additional Affidavits, if required.

A request is also made that the learned Arbitrator shall be directed to take steps in Section 17 Applications with utmost expediency.

2. In the wake of the consensus expressed, following order is passed :

A] Justice S.J. Vazifdar (Former Chief Justice of Punjab & Haryana High Court), is hereby appointed as the Sole Arbitrator to adjudicate upon the disputes and difference between

the parties arising out of and in connection with the Agreement referred to above. The contact details of the arbitrator are as under :-

Mobile No. :- 98201 02088

Office Address :- 6 & 12A, Maison Belvedere,
107, Maharshi Karve Road,
Mumbai – 400 020.

Email ID :- shiavaxvazidfar@gmail.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 prove 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 by him, to obtain appropriate direction with regard to conduct of the arbitration including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearings etc.

E] The sole Arbitrator shall be entitled to the fees mutually decided amongst the Parties and the arbitral costs and fees of the Arbitrator shall be borne by the parties in equal portion and shall be subject to the final Award that may be passed by the Tribunal.

3. The Parties are at liberty to file further pleadings within a period of two weeks from the date of learned Arbitrator's entering the reference.
4. Upon arbitration reference being entered into, the learned Arbitrator is requested to consider the Application under Section 17 in expeditious manner, in the wake of urgency expressed by the Parties.
5. All issues on merits are expressly kept open to be agitated before the Arbitral Tribunal appointed hereby.
6. Both Commercial Arbitration Petitions stand disposed of.

[BHARATI DANGRE, J]