
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 2313 OF 2025
IN
REVIEW PETITION (L) NO. 14667 OF 2025

Nirmeet Kacheria

...Applicant/
Petitioner

Versus

Bipin Bindra & Ors

...Respondents

Mr. Arjun Sheth (through VC), i/b Amish S. Gandhi, for the Applicant/Petitioner.

Mr. Ali Abbas Delhiwala, a/w Usha Singh & Sabir Merchant, i/b Vyas & Bhalwal, for Respondents.

CORAM : SOMASEKHAR SUNDARESAN, J.
DATE : JUNE 16, 2025

ORDER :

1. This Review Petition has been filed seeking a review of an order dated March 13, 2025, by which, taking cognizance of the existence of the arbitration agreement, an arbitrator came to be appointed.

2. Learned Counsel for the Petitioner submits that the order was carried to the Supreme Court by an order dated April 23, 2025, where the Supreme Court indicated that it was not inclined to interfere

with the said order, but that the Petitioner was at liberty to file a Review Petition.

3. In the Review Petition, no error apparent on the face of the record is sought to be pressed into service. In any case, upon being asked whether the existence of the arbitration agreement is contested, Learned Counsel for the Petitioner fairly stated that the existence cannot be denied and pointed to the arbitration clause contained in the agreement. The only grievance that can at all be made appears to be that the order under review refers to the arbitration clause as “Clause 18.2”, whereas it should have been “Clause 18.1” or just “Clause 18”.

4. It was also indicated that the disputes could have been settled without going to arbitration. It is made clear that, should the parties be desirous of settling the dispute without having to go through arbitration, it shall always be open to them to do so, and file an application for a consent award before the Learned Arbitral Tribunal. Likewise, they could always engage even while the Learned Arbitral Tribunal fixes a schedule of activity for the arbitration. They could even make a submission to the Learned Arbitral tribunal, asking the arbitral tribunal to defer the conduct of the proceedings for a specific period within

which they could attempt to resolve the disputes and differences between them. This Court need not express any opinion in the matter.

5. In any case, suffice it to say, that no case is made out for a review of the order. Consequently, no interference is made pursuant to the Review Petition, which is hereby *dismissed*.

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.]