

PRACHI
PRANESH
NANDIWADEKAR

Digitally signed
by PRACHI
PRANESH
NANDIWADEKAR
Date: 2026.04.16
16:29:35 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION NO.49 OF 2025**

Avinash Anil Wavekar

....Petitioner

V/s.

M/S. Shivleela Decorators & Anr.

....Respondents

Mr. H. G. Dharmadhikari a/w Mr. D. A. Bhalerao, Mr. P.H. Dharmadhikari and Mr.Arunkumar Gunasekaran for the petitioner.

Mr. Vinay Kadam i/by Amanchi Legal & Co. for the respondent.

CORAM : JITENDRA JAIN, J.

DATED : 16th April 2026

P.C. :

1. This Petition 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 reconstituted partnership dated 14 September 2019. The arbitration agreement is at page 42 of the petition.
2. By a letter dated 12 June 2025, the petitioner has invoked the arbitration clause for referring the disputes to a Sole Arbitrator.
3. Keeping all the contentions of all the parties to be agitated before the learned Arbitrator, the arbitration has been duly invoked to refer the disputes and differences between the parties in connection with the aforesaid agreement to arbitration by a Sole Arbitrator.
4. In these circumstances, this petition is finally disposed of in terms of the following order: -

- A) Mr. Sadashiv Deshmukh, Retired Principal District Judge, Thane 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 : 403, Jupiter Bldg. No.9, Gavand Baug,
Pokhran Road No.2, Thane (W) – 400
610.

Email ID : ssadashiv07@gmail.com

Contact No. : 9820553525

- 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 of upload of this order. 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. 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.

7. Petition is disposed of in above terms.

(JITENDRA JAIN, J.)