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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

ARBITRATION PETITION NO.63 OF 2026

Mrs. Pushpa Zhalamchand JainPetitioner
V/S
M/S Bhimashankar Developers & Ors.Respondents

Ms. Rima Desai i/b Mr. Monish P. Jain for the Petitioner.
None for the Respondents.

**CORAM : Jitendra Jain, J.
DATED : 23 April 2026**

PC:-

1. The petitioner undertakes to file affidavit of service within one week from today. If the same is not filed then the present order will be withdrawn without recourse to the Court.
2. This petition is for substitution of an arbitrator appointed under order of this Court on 11 December 2025. The learned Arbitrator has disclosed his interest pursuant to the said order and therefore the present petition.
3. In the light of above, Retired District Judge Mr. Ramesh Deshmukh whose details are as under is appointed as a sole arbitrator to resolve the dispute between the petitioner and the respondents under an agreement dated 16 August 2017.
4. In these circumstances, the petition is finally disposed of in terms of the following order :-

A) Mr. Ramesh Deshmukh, J. (Retired), is hereby appointed as a Sole Arbitrator to adjudicate upon

the dispute 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 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. The parties to share the cost of arbitration including arbitrator's fees equally. The Arbitrator and the parties to agree upon the arbitrator's fees.

8. Petition is disposed of.

(Jitendra Jain, J)