

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO. 74 OF 2026

Dr. (mrs.) Barshani rahul gokhale Petitioner

Versus

Mr. Dhruv Parekh & Anr. Respondent

Mr. Ritvij Atul Kale for the Petitioner.

None for the Respondent.

CORAM : JITENDRA JAIN, J.

DATED : 12th JUNE 2026

P. C. :

1. On 30th April, 2026, the petitioner has served the respondents. However, in spite of the service, the respondents are not present today.
2. This petition is filed for appointment of Arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996 (“**the Act**”). Since, there are disputes between the petitioner and respondent.
3. Clause 15 of the LLP Agreement dated 07th August, 2015 provides for resolution of disputes through Arbitration. The Petitioner has invoked the arbitration clause by letter dated 21st January, 2025. By their letter dated 17th March, 2025 the Respondents denied the allegations made in the letter including the arbitration.
4. The existence of the arbitration agreement is not in dispute and there are disputes between the parties to be resolved in accordance with the said arbitration agreement. Therefore, this Court appoints Ms. Shalini

Phansalkar-Joshi, J. (Retired) as Arbitrator for resolving the disputes between the parties.

5. The parties are at liberty to raise all the contentions before the learned Arbitrator.

6. In these circumstances, the Petition is finally disposed of in terms of the following order :-

- A) Ms. Shalini Phansalkar-Joshi, J. (Retired) 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;

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Nagar, Paud Road, Kothrud, Pune-
411038.

Email ID : phansalkarjoshi@gmail.com

Contact No. : 9657188676

- 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.

7. 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.

8. 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.

9. The fees of the Arbitrator will be mutually agreed upon by the Arbitrator and the parties.

10. Petition is disposed of in above terms.

[JITENDRA JAIN, J.]