

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

ARBITRATION PETITION NO. 384 OF 2024

Kotak Mahindra Bank Ltd

...Petitioner

Versus

Sudhir V R

...Respondent

WITH

ARBITRATION APPLICATION(L) NO. 4344 OF 2024

Mr. Tikshita Modi a/w Simran Raj for Petitioner.

Mr. A.S. Rao for Respondent.

CORAM	:	ARIF S. DOCTOR, J.
DATE	:	20th JANUARY, 2026

P.C.

1. This Petition is filed under Section 9 of the Arbitration and Conciliation Act, 1996, the Petitioner has also filed an Application for appointment of Arbitrator under Section 11 of the Arbitration and Conciliation Act, 1996. There is no reply affidavit to the Petition filed under Section 11. Learned counsel for the Respondent seeks and is granted one week's time to file a counter affidavit.

2. In the interregnum Ms. Modi learned counsel for the Petitioner has pressed for limited interim relief of disclosure, submitting that the Respondents had availed a loan facility from the Petitioner and in fact Arbitration has also commenced between the Parties during which an objection was taken as to the unilateral appointment of the Arbitrator, which was upheld and thus the Arbitration proceedings came to an end.

3. Having heard learned counsel and having perused the record, I find that there is, and can be no dispute as to the fact that the Respondents had availed the self finance facilities. Thus, in my view, further request for a disclosure to be made by the Respondent is entirely justified. Hence, the Respondent shall make a disclosure in terms of prayer clause 'b', which reads thus;

"b. That pending the hearing and final disposal of this petition and arbitration proceedings, the Hon'ble Court be pleased to order and direct the Respondent, to file his respective comprehensive affidavit disclosing on oath the assets both movable and immovable held by him jointly and or severally including details of all bank accounts (with account numbers, Bank, Branch etc) and all the amounts lying in the Bank accounts, all debts and receivables payable by third parties to the borrower/s/Respondent with the precise and exact addresses of such debtors who owe money to the Respondent, within a period of 2 weeks from the date of the order or within such time as this Hon'ble court may deemed fit;"

4. Stand over both the matters **3rd February, 2026.**

[ARIF S. DOCTOR, J.]