



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO.1 OF 2025

Habib Bismillah Khan

...Applicant

V/s.

Lal Amin Shahi Khan

...Respondent

Mr.Omar Khaiyam Shaikh *for Applicant.*

Mr.Ashish J Dubey, *for Respondents No.1 and 2.*

CORAM: SANDEEP V. MARNE, J.

DATED: 10 MARCH 2026.

P.C.:

1) This an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (**the Arbitration Act**) for appointment of an Arbitrator for adjudication of disputes and differences, which have arisen between the parties out of MOU dated 18 October 2017.

2) I have heard Mr. Shaikh, the learned counsel appearing for the Applicant and Mr. Dubey, the learned counsel appearing for Respondents No.1 and 2.

3) Mr. Dubey fairly admits existence of arbitration agreement between the parties.

4) Mr. Shaikh tenders office copy of notice dated 6 February 2026 which bears acknowledgment of Respondent No.3. However none appears on behalf of the Respondent No.3.

5) Perusal of the MOU indicates existence of arbitration clause No.18. Mr. Shaikh as well as Mr. Dubey jointly submit that since both the rival parties are from Mumbai, the seat of the arbitration be decided as Mumbai since the MOU is silent on the issue of seat.

6) Both the learned counsel jointly requested for constitution of Arbitral Tribunal, comprising of a sole arbitrator.

7) Accordingly, I pass following Order.

(A) Ms. Shruti Tulpule, an Advocate of this Court is appointed as sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of MOU dated 18 October 2017. The contact details of the Arbitrator are as under :

Office Address:- Office No.7, Teekay Business Centre,
Mezzanine Floor, Ready Mone
Mansion, Veer Nariman Road, Fort
Mumbai-400001

Mobile No.:- 9823474226

Email ID:- satulpule@outlook.com

(B) A copy of this order be communicated to the learned sole Arbitrator by the Advocates for the Applicant within a period of

one week from the date of uploading of this order. The Applicant shall provide the contact and communication particulars of the parties to the Arbitral Tribunal alongwith 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 2 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 by her, to obtain appropriate direction with regard to conduct of the arbitration including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearings etc.

(E) The fees of the sole Arbitrator shall be as prescribed under the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018 and the arbitral costs and fees of the Arbitrator shall be borne by the parties in equal portion and shall be subject to the final Award that may be passed by the Tribunal.

6) All the rights and contentions on merits of the disputes are expressly kept open to be agitated before the Arbitral Tribunal.

7) The Arbitration application is **disposed of**.

[SANDEEP V. MARNE, J.]