



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION NO.534 OF 2025

Concepts Infrastructure

...Petitioner

V/s.

Sanjog Apartment 'B' Co-operative
Housing Society Ltd.

...Respondent

Mr. Gauraj Shah with *Mr. Rohan Mahadik and Mr. Bhavin Vora i/b. The Juris Partners, for the Petitioner.*

Mr. Kalpesh Joshi with *Mr. Narendra Devvanshi i/b. M/s. Kalpesh Joshi Associates for the Respondent.*

CORAM: SANDEEP V. MARNE, J.

DATED: 9 JANUARY 2026.

P.C.:

1) This is a Petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 for interim measures before initiation of arbitral proceedings. The disputes between the parties arose out of Development Agreement dated 31 October 2023. There is admittedly arbitration clause in the Development Agreement.

2) As the hearing of the Petition progressed, the learned counsel appearing for the parties jointly submit that the parties are willing to go for arbitration before the Arbitral Tribunal constituted by the Court.

3) Mr. Shah, the learned counsel appearing for the Petitioner expresses apprehension that the Respondent-Society is likely to appoint another Developer. Mr. Joshi, the learned counsel appearing for the Respondent-Society clarifies that as of now the Respondent-Society has not initiated any steps for appointment of new Developer. In that view of the matter the Petitioner can move an application under Section 17 of the Arbitration Act before the Arbitral Tribunal.

4) Accordingly, with the consent of the parties following order is passed:-

(A) Ms. Neeta Jain, an Advocate of this Court is appointed as Sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of Development Agreement dated 31 October 2023. The contact details of the Arbitrator are as under :

Office Address :- 301/A wing, Fort Chambers off Ambalal Doshi Marg, Fort, Mumbai- 400 001.

Email ID :- neetanaik.jain@gmail.com

(B) A copy of this order be communicated to the learned sole Arbitrator by the Advocates for the Petitioner 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) 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) Present Petition shall be treated as Section 17 Application by the Arbitrator and shall be decided on its own merits.

6) All issues on merits are expressly kept open to be agitated before the Arbitral Tribunal appointed as above.

7) With the above directions, the Petition is **allowed and disposed of**.

[SANDEEP V. MARNE, J.]