



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO.275 OF 2025

Mahendraprasad Kedarnath Dubey

...Applicant

V/s.

Lotus Logistics and Developers Pvt.
Ltd. and Anr.

...Respondents

Mr. Kukul Taly with *Ms. Shifa Quraishi, Mr. Ravikumar Kamble and Mr. Amit Yadav i/b. M/s. S. Mahomedbhai and Co. for the Applicant.*

Mr. Aman Anand with *Mr. Jayesh Mestry and Mrs. Farheen Mustafa for the Respondent No.1.*

CORAM: SANDEEP V. MARNE, J.

DATED: 06 JANUARY 2026.

P.C.:

1) This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996(**Arbitration Act**).

2) Heard the learned counsel appearing for the parties. Respondent No.2 is served and affidavit of private service is tendered. However, none appears for Respondent No.2. The Applicant had executed Development Agreement with Respondent No.2, who has in turn assigned the rights under the Development Agreement in favour of Respondent No.1. In that view of the matter it appears that real contesting parties are Applicant and Respondent No.1.

3) Mr. Aman Anand, the learned counsel appearing for Respondent No.1 submits that Respondent No.1 is willing to go for arbitration subject to all objections including that of jurisdiction, being kept open. The Applicant and Respondent No.1 have jointly agreed on the name of Mr. Monil Punjabi, an Advocate practising in this Court for being appointed as Arbitrator. Accordingly, with consent of the Applicant and Respondent No.1 following order is passed:

(A) Mr. Monil Punjabi, an Advocate of this Court is hereby appointed as Sole Arbitrator to adjudicate upon the disputes and differences between the parties under the Development Agreement dated 20 October 2011. The contact details of the Arbitrator are as under :

Office Address :-Chambers of Advocate Vishal Kanade,
103, Gundecha Chambers, 9 Nagindas Master Road,
Fort, Mumbai-400023
Mobile: No.+91 9224426201
Email ID :- monilpunjabi@gmail.com

(B) A copy of this order be communicated to the learned sole Arbitrator by the Advocate 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 Arbitration 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 him, 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. At such meeting, the parties shall provide a valid and functional email address alongwith mobile and landline numbers of the respective Advocates of the parties to the Arbitral Tribunal. Communication to such email addresses shall constitute valid service of correspondence in connection with the arbitration.

(E) The sole Arbitrator shall be entitled to the fees 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

- 4) All issues on merits are expressly kept open to be agitated before the Arbitral Tribunal appointed as above.
- 5) With the above directions, the Application is allowed and disposed of.

[SANDEEP V. MARNE, J.]