

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 457 OF 2025

Fatema Badruddin Patrawala

.....APPLICANT

: **VERSUS** :

Aikya Realty Pvt. Ltd.& Ors.

....RESPONDENTS

Mr. Kshitij Parekh with Ms. Nidhi Sallian i/b. Apex Law Partners, for the Applicant.

Mr. Shlok Bodas with Mr. Darshil Desai i/b. Markand Gandhi & Co., for the Respondents.

CORAM : **SANDEEP V. MARNE, J.**

DATED : **21 JANUARY 2026.**

P.C :

1) This is an application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (**Arbitration Act**) for adjudication of disputes and differences arising between the parties out of Permanent Alternate Accommodation Agreement (**PAAA**) dated 28 April 2016 and Supplementary Agreement dated 5th November 2019.

2) I have heard Mr.Parekh, learned counsel appearing for the Applicant and Mr.Bodas, learned counsel appearing for the Respondent

3) Perusal of PAAA dated 28 April 2016 indicates existence of Arbitration Clause No.28 and Supplementary Agreement dated 5th

November 2019 contains Arbitration Clause No.14. In the light of express presence of arbitration clause in the agreement, it would be appropriate to constitute Arbitral Tribunal of sole Arbitrator for adjudication of disputes and differences between the parties. Accordingly, Ms. Spenta Kapadia, an Advocate practicing in this Court is appointed as Arbitrator for adjudication of disputes and differences between the parties. Accordingly, I proceed to pass the following order :

(A) Ms. Spenta Kapadia, an Advocate of this Court is appointed as Sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of an PAAA and Supplementary Agreement referred to above. The contact details of the Arbitrator are as under :

Office Address :- 28/29A, Alli Chambers, Tamarind Lane,
Fort, Mumbai-400 001.

Email ID :- spentahavewala@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 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.

4) All rights and contentions of the parties are expressly kept open to be raised before the Arbitral Tribunal.

5) With the above directions, the Arbitration Application is disposed of.

[SANDEEP V. MARNE, J.]

Note : Corrections are carried out in paras-1, 3 and 3(A) pursuant to speaking to minutes order dated 23 January 2026. The rest of the order remains undisturbed.

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