

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 467 OF 2025

Anvi Ayurveda & Anr.

.....APPLICANTS

: **VERSUS** :

Vaidya Sane Ayurved Laboratories

Limited and Anr.

....RESPONDENTS

Mr. Vivek Joshi, for the Applicant.

Mr. Jagdish G. Aradwad (Reddy) with Ms. Ashwini B. Jadhav, for Respondent No.1.

Ms. Aakansha Anand i/b. Mahesh Menon & Co., for Respondent No.2.

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 appointment of Arbitrator and for adjudication of disputes and differences arising between the Applicants and Respondent No.1 pursuant to Agreement dated 31 March 2024.

2) Applicant No.1 is a Partnership Firm and Applicant No.2-Mr.Dhananjay Vijay Sardeshpande is one of the partners thereof. The other partner was Respondent No.2-Kavitha. Respondent No.2 contends that she has already resigned from partnership. Mr.Joshi, the learned counsel appearing for the Applicants submits that Respondent No.2 is joined to the proceedings only as a formal party and that Applicants are

not intending to raise any claims against her even though she may be impleaded in the arbitral proceedings on account of her role previously as the partner of the Firm.

3) I have gone through the Agreement which clearly contains arbitration clause under Article 26 of the Agreement. The Arbitration Agreement provides for the Chief Co-ordinating Officer of Respondent No.1 to act as the Arbitrator. This is clearly violative of provisions of sub-section (5) of Section 12 of the Arbitration Act. Respondent No.1 cannot unilaterally appoint the Arbitrator nor its employees/officer can function as the Arbitrator. In that view of the matter, it would be just and proper to constitute Arbitral Tribunal of sole Arbitrator to adjudicate the disputes and differences between the Applicants and Respondent No.1. Accordingly, Ms.Shruti Tulpule, an Advocate practicing in this Court is appointed as Arbitrator for adjudication of disputes and differences between the parties.

4) Accordingly, I proceed to pass the 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 an Agreement dated 31 March 2024 referred to above. The contact details of the Arbitrator are as under :

Email ID :- satulpule@outlook.com

Mobile No.:- 98234 74226

(B) A copy of this order be communicated to the learned sole Arbitrator by the Advocate for the Applicants within a period of one week from the date of uploading of this order. The Applicants 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 Applicants and Respondent No.1 in equal portion and shall be subject to the final Award that may be passed by the Tribunal.

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

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

[SANDEEP V. MARNE, J.]

Digitally
signed by
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SAWANT
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