

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO. 469 OF 2025

Vakola Sandeep Cooperative Housing Society Ltd. ... Applicant.

Vs.

Aditya Developers.

... Respondent.

Mr. Mangirish Saraf i/b. LJ Law, Advocate for Applicant.

CORAM : SANDEEP V. MARNE, J

DATED : 20th APRIL, 2026

P.C.:-

1. This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 for appointment of an Arbitrator for adjudication of disputes and differences that have arisen between the parties out of the Development Agreement dated 29th November, 2010.

2. Heard Mr. Saraf, learned Counsel appearing for the Applicant. By order dated 19th January, 2026, court notices were issued to the Respondent. However, since usual mode of service on the Respondent has failed, this Court permitted service on Respondent through paper

publication vide order dated 17th February, 2026. Mr. Saraf, learned Counsel for the Applicant has tendered an affidavit of service which indicates publication of notices in the newspapers – Free Press Journal (English) and Navshakti (Marathi). The Respondent is duly served. However, none appears on behalf of the Respondent.

3. Perusal of the Development Agreement would indicate presence of Arbitration Agreement in Clause No. 43. The venue of the Arbitration is at Mumbai. This Court is thus satisfied about the existence of Arbitration Agreement between the parties. In that view of the matter, it would be just and proper to constitute the Arbitral Tribunal comprising of a sole Arbitrator.

4. I accordingly proceed to pass following order :

(A) Mr. Shrey P. Sancheti, an Advocate practising in this Court is appointed as sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of a Development Agreement dated 29th November, 2010. The contact details of the Arbitrator are as under:-

Mobile No. 9833694018

Email – shreysancheti@gmail.com

**Address- C/o. Mr. Zal Andhyarudjina,
302 Mystry Mansion, 107, M.G. Road,
Fort, Mumbai.**

(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 **him/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.

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

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

[SANDEEP V. MARNE, J]