



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO.476 OF 2025

Modern Construction Company
(Delhi).,

...Applicant

V/s.

Godrej Highview LLP

...Respondent

Mr. Siddharth Vishwanathan (*through vc*) with *Mr. Yash Badjur & Mr. Sikander Junda for the Applicant.*

Mr. Kunal Kanungo (*through vc*) with *Ms. Rupa Shaw for the Respondent.*

CORAM: SANDEEP V. MARNE, J.

DATED: 4 MAY 2026.

P.C.:

1) This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (**the Arbitration Act**) seeking appointment of Arbitrator for adjudication of disputes and differences between parties arising out of Contract Agreement dated 4 April 2018.

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

3) Mr. Kanungo fairly admits existence of arbitration agreement between the parties. Mr. Siddharth requests that since the Applicant is from Delhi and since the project was at Gurgaon, though the arbitration agreement provides for place of arbitration at Mumbai, venue of the arbitration be fixed at New Delhi. Mr. Kanungo submits that he does not have instructions for fixation of venue of arbitration.

4) In view of the consensus prevailing between the parties about existence of arbitration agreement, I deem it appropriate to appoint Mumbai Centre for International Arbitration (**MCIA**) as the Institution for conduct of arbitration between the parties. It would be open for the parties to agree for fixation of the venue of arbitration at New Delhi or such other place as mutually agreed.

5) I accordingly, proceed to pass the following order:-

(A) MCIA is appointed as the Institute for conduct of institutional arbitration proceedings for adjudication of disputes and differences between the parties arising out of Contract Agreement dated 4 April 2018. The contact details of the Institute are as under :

Email ID:- neeti@mcia.org.in

Office Address:-1515C One, Lodha Place, S.B. Marg,
Lower Parel, Mumbai-400013

(B) A copy of this order be communicated to the Institute by the Advocates for the Applicant within a period of one week from the date of uploading of this order. The Institute shall nominate the

Arbitrator within a period of two weeks of receipt of intimation about 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 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 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 Arbitrator shall be as prescribed in the Schedule of the Institute 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.

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 Application is **disposed of**.

[SANDEEP V. MARNE, J.]