

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION APPLICATION NO. 516 OF 2025**

Acme Safety Wears Ltd.

.....**APPLICANT**

: VERSUS :

Shapoorji Pallonji and Company

Pvt. Ltd.

.....**RESPONDENT**

Ms. Chitra Rao, for the Applicant.

CORAM : SANDEEP V. MARNE, J.

DATED : 30 JANUARY 2026.

P.C :

1) This is an application filed under Section 11 of the Arbitration and Conciliation Act, 1996 for appointment of Arbitrator for adjudication of disputes and differences arising between the parties arising out of concerned rate contract.

2) Respondent has been duly served with Court notice. However, none had appeared on behalf of the Respondent on 22 January 2026. Therefore, hearing of the application was adjourned for today. Today again, none has appeared on behalf of the Respondent. Ms. Rao submits that Respondent has approached the Petitioner with settlement offer and that therefore the Arbitrator may hold mediation before commencing arbitration.

3) Perusal of the rate contract would indicate that there is arbitration clause no.20 for resolution of disputes between the parties. The seat of arbitration agreed is at Mumbai. I am therefore satisfied that

there is agreement between the parties to arbitrate. In that view of the matter, it would be just and proper to constitute Arbitral Tribunal of a sole Arbitrator for adjudication of disputes and differences between the parties arising out of the concerned rate contract. Accordingly, I proceed to pass the following order :

(A) Ms. Yogita Deshmukh-Chitnis, an Advocate of this Court is appointed as Sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of the concerned rate contract referred to above. The contact details of the Arbitrator are as under :

Office Address :- Flat No.1, D-3, Wing, Gagangiri Krupa Bldg,
Sahyadri Nagar, Kandivali West, Mumbai-
400 067

Email ID :- yogitadeshmukhoffice@gmail.com

Mobile No.:- 9702244133

(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) The learned Arbitrator is requested first to explore the possibility of mediation between the parties before issuing directions for filing of the pleadings. All rights and contentions of the parties are expressly kept open to be raised before the Arbitral Tribunal.

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

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[SANDEEP V. MARNE, J.]