

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMMERCIAL ARBITRATION APPLICATION
NO.594 OF 2025**

Ensepatec India Private Limited
V/S

....Applicant

Ducon Infratechnologies Ltd. & Ors.

....Respondents

Ms. Ruchika Dave with Mr. Hurshal Tupe i/b M/s. YNZ Legal *for the Applicant.*

Ms. Bharati Narichania i/b M/s. Vibha Jurisconsult Co. *for Respondents.*

**CORAM : SANDEEP V. MARNE, J.
DATE : 13 JANUARY 2026.**

P.C.:

1. This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (**the Arbitration Act**) for adjudication of disputes and differences arising between the parties out of the Purchase Order (**PO**) dated 10 February 2023. There is no dispute to the position that the PO contains arbitration agreement. Both the parties have agreed for resolution of disputes to the mechanism of arbitration. Both the parties have jointly suggested name of Shri Justice Nitin Jamdar, Retired Chief Justice for being appointed as sole Arbitrator.

2. Accordingly, with the consent of the parties, I proceed to pass the following order:

A) Shri Justice Nitin Jamdar, Retired Chief Justice of Kerala High Court is hereby appointed as sole Arbitrator

to adjudicate upon the disputes and differences between the parties arising out of the Purchase Order referred to above. The contact details of the Arbitrator are as under:

Mobile No: 98198 29319.

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 Arbitration Act to the parties within a period of two 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, 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 learned 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.

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

4. With the above directions, Arbitration Application is **allowed and disposed of**. There shall be no order as to costs.

(SANDEEP V. MARNE, J.)

Digitally
signed by
SUDARSHAN
RAJALINGAM
KATKAM
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