

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

COMMERCIAL ARBITRATION APPLICATION NO.650 OF 2025

Tata Capital Limited	Applicant
V/S	
Sawant Infraedge Private Limited & Ors.	Respondents

Ms. Akshita Jain with Mr. Akshit Vats i/b M/s. I.V. Merchant & Co. *for the Applicant.*

CORAM : SANDEEP V. MARNE, J.
DATE : 6 APRIL 2026.

P.C.:

1. This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (**the Arbitration Act**) arising out of Loan-cum-Hypothecation-cum-Guarantee Agreements.
2. I have heard Ms. Jain, the learned counsel appearing for the Applicant.
3. By order dated 16 January 2026 this Court had issued notices to Respondent Nos.1 and 3, which were returned with the remark 'addressee left without instructions'. Therefore, this Court directed substituted service on Respondents through paper publication vide order dated 23 February 2026. Ms. Jain tenders Affidavit of Service which indicates publication of notices in the newspapers Business Standard

(English) and Dainik Rajdharm (Marathi) having circulation at Osmanabad where Respondent Nos.1 and 3 have their office and residence. The service on Respondent No.2 is reportedly complete. None has appeared on behalf of Respondents.

4. Perusal of Loan-cum-Hypothecation-cum-Guarantee-Agreements would indicate presence of arbitration agreement in clause 23. The seat of the arbitration is at Mumbai. I am therefore, satisfied that there is exists arbitration agreement between the parties. In that view of the matter, it would be just and proper to constitute Arbitral Tribunal comprising of a sole Arbitrator.

5. 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 the Loan-cum-Hypothecation-cum-Guarantee-Agreements referred to above. The contact details of the Arbitrator are as under:

Office Address:- Office No.7, Teekay's Business Centre,
Mezzanine Floor, Ready Money Mansion,
Veer Nariman Road, Fort, Mumbai – 400 001.

Mobile No.: 98234 74226.

E-mail ID:- satulpule@outlook.com

B) A copy of this order be communicated to the learned sole Arbitrator and Respondents 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 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 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 sole Arbitrator shall be entitled to the fees 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.

6. All contentions of parties on merits are expressly kept open to be agitated before the Arbitral Tribunal appointed as above.

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