



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION APPLICATION NO.655 OF 2025

Tata Capital Housing Finance Ltd.

...Applicant

V/s.

Sanyog Kumar and Others

...Respondents

Ms. Gilatar Minakshi Amara *for the Applicant.*

CORAM: SANDEEP V. MARNE, J.

DATED: 11 MARCH 2026.

P.C.:

1) This is an Application filed by the Applicant under Section 11 of the Arbitration and Conciliation Act, 1996 (**the Arbitration Act**) for appointment of Arbitrator for adjudication of disputes and differences between the parties arising out of the Loan Agreement.

2) Heard Ms. Amara, the learned counsel appearing for the Applicant. She tenders affidavit of service in respect of hamdast. Affidavit indicates that notices were sought to be served personally on the Respondents and that they have refused to accept the same. Previously private notices were posted through RPAD, which are also refused by the Respondents. Respondents are thus, duly served.

3) Perusal of the Loan Agreement would indicate presence of arbitration clause No.12. Seat of the arbitration is at Mumbai. In that view of the matter, it would be appropriate to constitute Arbitral Tribunal comprising of a sole Arbitrator.

4) Ms. Amara requests for institutional arbitration for conduct of online arbitration.

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

(A) Presolv360 is appointed as Institute for conduct of institutional arbitration proceedings for adjudication of disputes and differences between the parties arising out of the concerned Loan Agreement. The contact details of the Institute are as under :

Office Address:- Esperanca Building, Colaba, Mumbai-400 001.

Mobile No.:- 8447728708

Email id:- info@presolv360.com

(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 Applicant shall provide the contact and communication particulars of the parties to the Institute alongwith a copy of this order.

(C) The Institute shall proceed to nominate the Arbitrator within a period of two weeks of receipt of intimation about this order and give due intimation of appointment to the parties.

(D) 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.

(E) The parties shall appear before the learned sole Arbitrator on such date and at such place as indicated by it, 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.

(F) The fees of the sole Arbitrator shall be as prescribed under 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.]