

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION APPLICATION NO. 659 OF 2025

KSHIPRA ENTERPRISES, through
its partner Anita Suresh Jain

.....Applicant

: Versus :

Niranjan Kumar Jain

.....Respondent

Mr. Dipesh A. Jain, for the Applicant.

Ms. Deepti B. Mistry, for the Respondent.

CORAM: SANDEEP V. MARNE, J.

DATED: 6 MARCH 2026.

P.C:

1) This is an application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (**Arbitration Act**) for appointment of Arbitrator for adjudication of disputes and differences arising out of Purchase Agreement dated 23 December 2022.

2) As hearing of the application progressed, Ms. Mistry, the learned counsel appearing for the Respondent fairly does not dispute existence of arbitration agreement between the parties. She however attempts to raise disputes touching to the merits of the claim which cannot be considered by the Referral Court under Section 11(6). The Respondent would be free to agitate the objections to the claim before the Arbitral Tribunal.

3) Accordingly, with the consent of the parties, following order is passed:

(A) Ms. Jai Kanade, an Advocate of this Court is hereby appointed as sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of Purchase Agreement. The contact details of the Arbitrator are as under :

Office Address :- 103, Gundecha Chambers, N.M.
Road, Fort, Mumbai-400 001.

Email ID :- jai.kanade@gmail.com

Mobile No.:- 99877 75713

(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 upload 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 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 proportion

and shall be subject to the final Award that may be passed by the Tribunal

- 4) All issues on merits are expressly kept open to be agitated before the Arbitral Tribunal appointed as above.
- 5) With the above directions, the Commercial Arbitration Application is **disposed of**.

Digitally
signed by
NEETA
SHAILESH
SAWANT
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[SANDEEP V. MARNE, J.]