

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

ARBITRATION APPLICATION (L) NO.30780 OF 2025

Pandurangwadi Laxmi Niwas Co-operative Housing Society Ltd.	Applicant
V/S	
M/s. MP Space Dynamics Pvt. Ltd.	Respondent

**WITH
ARBITRATION PETITION (L) NO.30350 OF 2025**

Pandurangwadi Laxmi Niwas Co-operative Housing Society Ltd.	Petitioner
V/S	
M/s. MP Space Dynamics Pvt. Ltd.	Respondent

**WITH
COMMERCIAL ARBITRATION APPLICATION
NO.693 OF 2025**

M/s. MP Space Dynamics Pvt. Ltd.	Applicant
V/S	
Pandurangwadi Laxmi Niwas Co-operative Housing Society Ltd.	Respondent

Mr. Manan Sharma *for the Applicant/Petitioner in ArbaPL 30780 of 2025 and ArpbL 30350 of 2025 and for Respondent in Carap 693 of 2025.*
Mr. S.A. Abhyankar *for Respondent ArbaPL 30780 of 2025 and ArpbL 30350 of 2025 and for Applicant in Carap 693 of 2025.*

**CORAM : SANDEEP V. MARNE, J.
DATE : 03 FEBRUARY 2026.**

P.C.:

1. These are cross Applications filed under Section 11 of the Arbitration and Conciliation Act, 1996 (**Arbitration Act**) by the Society and the Developer seeking appointment of Arbitrator for adjudication of

disputes and differences arising between them. Since both parties have desired appointment of Arbitrator, it would be just and proper to constitute Arbitral Tribunal comprising of a sole Arbitrator.

2. Arbitration Petition (L) No.30350 of 2025 is filed under Section 9 of the Arbitration Act, which appears to have been rejected under Rule 986 of the Bombay High Court Original Side Rules. For the purpose of disposal of the Section 9 Petition alongwith the cross Applications filed under Section 11 of the Arbitration Act, it would be appropriate to restore Section 9 Petition. Accordingly, Arbitration Petition (L) No.30350 of 2025 is restored.

3. Since Arbitral Tribunal is being constituted, it would be appropriate to relegate the Society to interim measures under Section 17 of the Arbitration Act before the Arbitral Tribunal.

4. Accordingly, I proceed to pass the following order:

A) Mr. Anand Pai, an Advocate of this Court is appointed as sole Arbitrator to adjudicate upon the disputes and differences between the parties referred to above. The contact details of the Arbitrator are as under:

Mobile No.:- 98201 47664.

E-mail ID:- advanandrpai@gmail.com

B) A copy of this order be communicated to the learned sole Arbitrator by the Advocates for the Applicants within a period of one week from the date of uploading of this order. The Applicants

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 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.

E) All arbitral costs and fees of the Arbitral Tribunal shall be borne by the parties equally in the first instance, and shall be subject to any final Award that may be passed by the Tribunal in relation to costs.

5. Parties would be at liberty to move Application for interim measures before the Arbitral Tribunal under Section 17 of the Arbitration Act, which shall be decided by the Arbitral Tribunal on its own merits.

6. All rights and contentions of the parties on merits are expressly kept open to be agitated before the Arbitral Tribunal.

7. It would be open to the parties to explore the possibility of mediation before the learned sole Arbitrator and the learned Arbitrator is requested to conduct meetings for mediation before issuing directions for completion of pleadings.

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

(SANDEEP V. MARNE, J.)