

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

COMMERCIAL ARBITRATION PETITION NO. 4 OF 2026

Sheela Suresh Marathe & Ors.

....PETITIONERS

: **VERSUS** :

Suren Gyanchandra Joshi & Ors.

....RESPONDENTS

Mr. A.V. Anturkar, Senior Advocate with Ms. Vinodini, Ms. Vaishnavi Kamble and Ms. R. Meera i.b. A. Mehta Laljee and Co., for the Petitioners.

Mr. Atul Singh with Ms. Nikita Agrawal i/b. AVS Legal, for Respondent Nos.1 to 4.

CORAM : SANDEEP V. MARNE, J.

DATED : 27 JANUARY 2026.

P.C. :

1) This is a petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 (**Arbitration Act**) for seeking interim measures before commencement of arbitral proceedings.

2) As hearing of the petition progressed, Mr.Anturkar, the learned Senior Advocate appearing for the Petitioners upon a suggestion made by the Court and on instructions, makes a statement that Applicant would pursue the remedy under Section 17 of the Arbitration Act if the Arbitral Tribunal is constituted.

3) Mr.Singh, the learned counsel appearing for the Respondent fairly agrees that there is agreement to arbitrate the dispute between the parties. Both the learned counsel jointly make a request for constitution

of Arbitral Tribunal of a sole arbitrator. Accordingly, with the consent of the parties, following order is passed :

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

Office Address :- 2nd Floor, Techno Heritage, N.M. Road,
Fort, Mumbai-400 001.

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

4) The Petitioners would be at liberty to prefer an application under Section 17 of the Act before the learned Arbitrator for interim measures, which shall be decided on its own merits.

5) All rights and contentions of the parties are expressly kept open to be raised before the Arbitral Tribunal. With the above directions, the Arbitration Petition is **disposed of**.

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[SANDEEP V. MARNE, J.]

Note : Correction is carried out pursuant to speaking to minutes order dated 27 January 2026.