

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 178 OF 2026

Seven Realty Group

... Applicant

Versus

Nandadeep Co operative Housing

Society Limited & Ors.

... Respondents

Adv. Dushyant Purekar a/w Adv. Rajat Dedhia, Adv. Esther Mary Matthew for Applicant.

Adv. Chetan Yadav i/b R. V. & Co. for Respondents.

CORAM : ARUN R. PEDNEKER, J.

DATE : 16 JUNE, 2026

P.C. :

1. Heard learned counsel for parties.
2. Learned counsel appearing for the Applicant submits that in terms of MOU dated 15 December 2020 disputes have arisen between the parties and Clause 13 of the MOU provides for arbitration. The Arbitration Clause is invoked on 23 January, 2026 and the same is noted below :-

***"Clause 13 -:** In the event of any dispute aroused in respect of interpretation and/or understanding of the present document, then same will be resolved by referring the same to the Sole Arbitrator within 90 days from referring the dispute for adjudication. However, the parties hereto have mutually agreed to avoid in differences and will keep practical approach for the benefits of the members of the Society."*

3. Learned counsel appearing for Respondents does not object to the appointment of Arbitrator. However, he submits all issues and contentions be left open to be decided and adjudicated before the Arbitrator, including the issue of jurisdiction that can be raised under Section 16 of the Arbitration and Conciliation Act, 1996.

4. Having considered the material, this Court would pass the following order :-

(A) Mr. Abhijeet A Desai, learned Advocate of this Court is appointed as the sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of and in connection with the Agreement referred to above. The contact details of the Arbitrator are as under :-

**Address : 411 4th Floor, Yusuf Building, M. G. Road,
Near Flora Fountain, Fort, Mumbai 400 001**

Mobile No. : 9920522440

Email ID : desalegal3@gmail.com

(B) A copy of this order be communicated to the learned sole Arbitrator by the Advocates for the Applicant within a period of 1 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 along with a copy of this order.

(C) Seat of the arbitration would be governed by the provisions of the agreement executed between the parties.

(D) 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 Advocates for the Applicant so as to enable them to file the same in the Registry of this Court. The Registry of this Court shall retain the said Statement on the file of this Application and a copy of the same shall be furnished by the Advocates for the Applicant to the Respondent.

(E) 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. At such meeting, the parties shall provide a valid and functional email address along with mobile and landline numbers, if any, of the respective Advocates of the parties to the Arbitral Tribunal. Communications to such email addresses shall constitute valid service of correspondence in connection with the arbitration.

(F) 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. All issues on merits are expressly kept open to be agitated before the Arbitral Tribunal appointed as above.

6. With the above directions, Arbitration Application stands **disposed of** accordingly.

[ARUN R. PEDNEKER, J.]