

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****COMMERCIAL ARBITRATION APPLICATION (L.) NO. 816 OF 2026**

Hella Infra Market Limited

..... Applicant**: VERSUS :**

Srivay Infra Projects Private Limited

and Ors.

....Respondents

Ms. Prapti Kedia a/w. Mr. Anikt Ujjwal i/b. Agama Law Associates, for
the Applicant.

CORAM : SANDEEP V. MARNE, J.**DATED : 9 MARCH 2026.****P.C. :**

1) This is an application under Section 11 of the Arbitration and Conciliation Act, 1996 (**Arbitration Act**) for adjudication of disputes and differences arising between the parties out of an Memorandum of Understanding dated 4 February 2021 (**MoU**).

2) I have heard Ms. Kedia, the learned counsel appearing for the Applicant. On 11 February 2026, this Court issued notices to the Respondents. Office report indicates that the notices are duly served on Respondent Nos.1 and 2. Notices in respect of Respondent Nos.3 and 4

are returned with the remark '*no such person in the address*'. Ms. Kedia further submits that the MoU is executed between the Applicant and Respondent No.1. She further invites the attention of the Court to the reply of the Respondents vide email dated 3 September 2025 in which Respondents had also shown willingness for constitution of the Arbitral Tribunal.

3) Perusal of the MoU would indicate existence of arbitration agreement between the parties. In that view of the matter, I proceed to constitute Arbitral Tribunal of a sole Arbitrator. Accordingly, following order is passed :

(A) Ms. Mahek Bookwala, an Advocate of this Court is appointed as Sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of an MoU. The contact details of the Arbitrator are as under :

Office Address :- 32.34, Churchgate House, 2nd Floor, Veer

Nariman Road, Fort, Mumbai-400 001.

Email ID :- mahek_bookwala@hotmail.com

Mobile No.:- 98200 78034

(B) A copy of this order be communicated to the learned sole Arbitrator and to the learned Advocate for the Respondent by the Advocate 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 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 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) All rights and contentions of the parties are expressly kept open to be raised before the Arbitral Tribunal.

5) With the above directions, the Commercial Arbitration Application is **disposed of**.

[SANDEEP V. MARNE, J.]

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