

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION APPLICATION NO. 136 OF 2026

The Tata Power Company Limited

..... APPLICANT

: VERSUS :

Jethabhai Gopalji

....RESPONDENT

Mr. Suhael Buttan (*through V.C.*) with Ms. Megharanjani Chandu and Mr. Ashirwad H. Sapre, for the Applicant.

Mr. Jethabhai Gopalji, Respondent in person.

CORAM : SANDEEP V. MARNE, J.

DATED : 2 APRIL, 2026.

P.C. :

1) This is an application under Section 11 of the Arbitration and Conciliation Act, 1996 (**Arbitration Act**) for appointment of Arbitrator for adjudication of disputes and differences that have arisen between the parties out of Tank Agreements dated 25 September 2024.

2) I have heard Mr. Buttan, the learned counsel appearing for the Applicant and the Respondent who appears in person and seeks to raise disputes touching upon merits of the matter.

3) Perusal of the Tank Agreements would indicate presence of arbitration agreement in Clause-1. Though the arbitration agreement

envisages appointment of arbitrator unilaterally by the Applicant, considering the development of law on the subject of unilateral appointment of arbitrator, the Applicant has filed the present application. There is no serious dispute about existence of arbitration clause. In that view of the matter, it would be just and proper to constitute Arbitral Tribunal comprising of a sole arbitrator. Accordingly, I proceed to pass the following order :

(A) Ms. Shruti Tulpule, 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 :

Mobile No.:- 98234 74226

Email ID :- satulpule@outlook.com

(B) A copy of this order be communicated to the learned sole Arbitrator 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**.

NEETA
SHAILESH
SAWANT

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[SANDEEP V. MARNE, J.]