

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

IN ITS COMMERCIAL DIVISION

COMMERCIAL ARBITRATION APPLICATION NO. 180 OF 2026

WITH

COMMERCIAL ARBITRATION PETITION NO. 1071 OF 2025

Tata Capital Limited.

... Applicant/-
Petitioner.

Vs.

Bluten Marketing Limited & Ors.

... Respondents.

Mr. Rohan Savant with Mr. Rajiv Shetty, Mr. Tejas Gokhale, Mr. Arjun Amin & Ms. Priyanka Shetty i/b. Argus Partners, Advocate for Applicant/Petitioner.

CORAM : SANDEEP V. MARNE, J

DATED : 20th APRIL, 2026

P.C.:-

1. These are the proceedings filed under Section 9 and Section 11 of the Arbitration and Conciliation Act, 1996 seeking interim measures and for appointment of the arbitrator. The disputes and differences have arisen between the parties out of Loan Agreement dated 28th November, 2024.

2. I have heard Mr. Savant, learned Counsel appearing for the

Applicant/Petitioner. Respondents are duly served with court notices in Section 9 Petition. In respect of Section 11 Application, Mr. Savant, learned Counsel for the Applicant/Petitioner tenders affidavit of private service. None has appeared on behalf of the Respondents despite being privately served.

3. Perusal of Loan Agreement dated 28th November, 2024 indicates presence of Arbitration Agreement at Clause No. 13. The Petitioner has choice of choosing the seat of Arbitration and the Petitioner has chosen Mumbai as the seat for arbitration. This Court is satisfied about the existence of Arbitration Agreement between the parties. It is therefore, just and proper to constitute Arbitral Tribunal comprising of sole Arbitrator.

4. By order dated 25th February, 2026, this Court has granted ad-interim measures in terms of the prayer clause (a) and (b) in Section 9 Petition. The said ad-interim relief can be continued as Interim Measures during the pendency of the arbitral proceedings.

5. I accordingly proceed to pass the following order :

(A) **Ms. Sneha Phene**, an Advocate practising in this Court is appointed as sole Arbitrator to adjudicate upon the disputes and

differences between the parties arising out of a Loan Agreement dated 28th November, 2024. The contact details of the Arbitrator are as under:-

Mobile No. 9821889233

Email – phene.sneha@outlook.com

Address- 317 B, New Bake House, Maharashtra Chamber of Commerce Lane, Kala Ghoda, Mumbai-400001.

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

(F) Ad-interim measures granted vide order dated 23rd February, 2026 shall continue to operate as Interim measures during the pendency of the arbitral proceedings and till making of the final award. The Applicant/Petitioner shall be at liberty to press for further interim measures, if required, before the Arbitral Tribunal.

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

7. With the above directions, the both the Application and Petition are disposed of.

[SANDEEP V. MARNE, J]