



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION NO.811 OF 2025

M/s Fountainhead through LR's .Vs. Maharashtra Metro Rail Corporation Ltd.
through Project Director Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Sarthak Bhatia, Adv. h/f Ms. Shubhangi A. Jadhav, Adv. for applicant.
Mr. Girish Kunte, Advocate for non-applicant.

CORAM : ROHIT W. JOSHI, J.

DATE : 13/03/2026

1. There is a dispute between the parties in relation to agreement dated 30.05.2016. The present application is filed seeking appointment of arbitrator to resolve the dispute in view of Clause-33 of the agreement. The learned Advocate for the non-applicant had initially suggested name of one Mr. Navin Chopra. The agreement provides for Arbitral Tribunal comprising of three arbitrators. The parties had earlier agreed for constitution of Arbitral Tribunal comprising Shri Aditya Kumar Mittal IRSE (retired), Shri Navin Chopra, IRSE (retired) and Shri Santosh Kumar Agrawal, IRSE (retired). However, the applicant has retracted from the said consensus with respect to the constitution of Arbitral Tribunal.

2. Today, learned Advocates jointly suggest that rather than are having an Arbitral Tribunal comprising of three members, sole arbitrator may be appointed. With consent of the parties, name of Justice Vasanti Naik, former Judge of Bombay High Court, is proposed as Sole Arbitrator

for resolution of dispute. The learned Arbitrator (proposed) is requested to furnish statement of disclosure, if possible, before **10.04.2026**.

3. Stand over to **15.04.2026**.

(ROHIT W. JOSHI, J.)

C.L. Dhakate