HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Arbitration Application No. 151/2024
CNR: RJHC021040752024 | URN: ARBAP / 214U / 2024

1. Mamta S Sharma W/o Mr. Sanjay K Sharma, Aged About 53 Years, R/o Bunglow 1, Avenue Park, Doc Co Hsg Society, Gidc, Vapi, Gujarat
2. Sanjay K Sharma S/o Mr. Keshavprasad K Sharma, Aged About 55 Years, R/o Bunglow 1, Avenue Park, Doc Co Hsg Society, Gidc, Vapi, Gujarat

----Petitioners

Versus

1. M/s Anukriti Builders And Developers, Previously Having Its Registered Office At 165, Rathore Nagar, Main Amrapali Marg, Vaishali Nagar, Jaipur 302021 (Raj.) And Currently Having Its Office At D-172, Kewat Marg, Pawan Path, Hanuman Nagar, Jaipur 302021 (Raj.)
2. Manvendra Singh Sesodia, Partner, M/s Anukriti Builders And Developers, D-172, Kewat Marg, Pawan Path, Hanuman Nagar, Jaipur 302021 (Raj.)
3. Avnish Bansal, Partner, M/s Anukriti Builders And Developers, C-110, Garud Marg, Hanuman Nagar, Vaishali Nagar, Jaipur 302021 (Raj.)

----Respondents

Connected With

S.B. Arbitration Application No. 150/2024
CNR: RJHC021040912024 | URN: ARBAP / 213U / 2024

1. Sanjay K Sharma S/o Mr. Keshavprasad K Sharma, Aged About 55 Years, R/o Bunglow 1, Avenue Park, Doc Co Hsg Society, Gidc, Vapi, Gujarat
2. Mamta S Sharma W/o Mr. Sanjay K Sharma, Aged About 53 Years, R/o Bunglow 1, Avenue Park, Doc Co Hsg Society, Gidc, Vapi, Gujarat

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3. Avnish Bansal, Partner, M/s Anukriti Builders And Developers, C-110, Garud Marg, Hanuman Nagar, Vaishali Nagar, Jaipur 302021 (Raj.)

----Respondents

For Petitioner(s)	:	Mr. Mohit Khandelwal
For Respondent(s)	:	Ms. Nidhi Sharma through VC Mr. Kanishk Singhal on behalf of Mr. Gunjan Pathak

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HON'BLE THE CHIEF JUSTICE MR. SANJAY K. AGRAWAL

Order

20/11/2026

1. These Arbitration Applications have been filed under Section 11 of Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act of 1996') for appointment of sole arbitrator.

2. It is pleaded in the applications that there was an arbitration clause in the agreement to sell executed between the parties. As per Clause 38 of the Agreement, if the dispute was not resolved amicably, it was to be referred to arbitrator. It is also contended that notice was given to the non-applicant on 19.07.2024, wherein applicant suggested the name of arbitrator and requested the non-applicant to appoint an arbitrator.

3. I have considered the contentions.

4. If any dispute, differences and controversies are claimed between the parties, the same are required to be first settled by

mutual negotiation and if the dispute could not be resolved, the same was to be referred to arbitrator.

5. The arbitrability of the dispute, if any, be raised before the Arbitrator and accordingly, this Court appoints Mr. Arif Mohammed Madani (Retired District Judge) Office No.302, 3rd Floor, Felicity Tower, Near Mahanagar Times, Sahkar Marg, Lal Kothi, Jaipur, as an Arbitrator to decide the dispute.

6. Accordingly, the arbitration applications stand allowed. The arbitration fees shall be determined in accordance with the Fourth Schedule of the Act of 1996, as amended. The fee of the Arbitrator will be equally borne by both the parties.

7. Copy of this order be sent to the appointed Sole Arbitrator.

(SANJAY K. AGRAWAL),CJ

D-A/9-10/AMIT/RAHUL