



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
ARBITRATION PETITION (ST) NO.7156 OF 2026**

TRO Realmarks ...Petitioner
Versus
Umesh Shalikram Hadke ...Respondent

Mr. Ronak M. Utagikar for the Petitioner.
Mr. Deepesh Ramrakhiani a/w Mr. Vijay Singh for the Respondent.

**CORAM : JITENDRA JAIN, J.
DATE : 23 APRIL 2026**

P.C.:

1. This petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 (“the Act”) for appointment of an Arbitrator under clause 14 of the agreement between the parties executed in May 2025 (Exhibit-A). The notice invoking arbitration clause was issued on 2 January 2026 and same was replied by the respondent denying the allegation.
2. Since there is an arbitration clause between the parties and there are disputes between them, Mr. Abhishek M. Karnik is appointed as a sole Arbitrator for resolving the dispute.
3. The fees of the Arbitrator would be agreed between the parties and the Arbitrator and same shall be shared equally.
4. Mr. Ramrakhiani, learned counsel for the respondent submits that he wishes to file counter claim before the Arbitrator.
5. In view of above, the petition is finally disposed of in terms of the following order :-

- A) Mr. Abhishek M. Karnik, learned advocate of this Court is hereby appointed as the Sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of and in connection with the Agreement referred to above;

Office address : C/o. Dr. Birendra Saraf, Senior
Advocate 302, Oval House, British
Hotel Lane, Nagindas Master Road,
Fort Mumbai

Email ID : adv.amkarnik@gmail.com

Contact No. : 9930351706

- B) A copy of this Order will be communicated to the Learned Sole Arbitrator by the Advocates for the Petitioner within a period of one week from the date of upload of this order. The petitioner shall provide the contact and communication particulars of the parties to the Arbitral Tribunal along with 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 two 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, to obtain appropriate directions with regard to conduct of the arbitration including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearings etc. At such meeting, the parties shall provide a valid and functional email address along with mobile and landline numbers of the respective Advocates of the parties to the Arbitral Tribunal. Communications to such email addresses shall constitute valid service of correspondence in connection with the arbitration;

E) All arbitral costs and fees of the Arbitral Tribunal shall be borne by the parties equally in the first instance, and shall be subject to any final Award that may be passed by the Tribunal in relation to costs.

6. Needless to say, nothing contained in this order is an expression of an opinion on merits of the matter or the relative strength of the parties. All issues on merits are expressly kept open to be agitated before the arbitral tribunal appointed hereby.

7. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

8. It is expressly made clear that this Court has not expressed any opinion of the orders passed under Section 9 or any proceedings arising therefrom.

9. Petition is disposed of in above terms.

[**JITENDRA JAIN, J.**]