



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION (ST) NO.9613 OF 2026

Ashok Hirachand Shah

...Petitioner

Versus

Ashok Kashinath Patil

...Respondent

Mr. Tukaram S. Shendge a/w Ms. Akshada Nagrale for the Petitioner.
Mr. Bhavesh Kadam i/by Ms. Lakshmi Pillai & Mr. Nikesh Patil for the
Respondent.

CORAM : JITENDRA JAIN, J.

DATE : 30 APRIL 2026

P.C.:

1. By consent of the parties, taken up for final hearing.
2. The petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996 ("the Act") for appointment of an Arbitrator for resolving the dispute arising out of agreement of sale dated 28 January 2012.
3. Clause 15 of the aforesaid agreement is an arbitration clause. Notice invoking the arbitration is dated 23 January 2026.
4. Since there is a dispute between the parties and there is an arbitration agreement between them, the disputes are referred to Sole Arbitration for resolving the same.
5. The Arbitrator and the parties are free to decide upon the cost of the arbitration including Arbitrator's fees.
6. In view of above, this petition is finally disposed of in terms of the following order :-



- A) Ms. Pinky M. Bhansali, 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 : Office No.603/604, 6th Floor, Sharda Chambers, Behind Income Tax Office, New Marine Lines, Mumbai. .

Email ID : bpinkym@yahoo.co.in

Contact No. : 022-47508642 / 9323224255

- 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.

7. Reply, if any, though the petition has been disposed of, respondent states that his reply is ready and will be filed within two weeks from today.

8. It is made clear that none of the contentions raised in the reply, which were canvassed across the bar has been adjudicated upon in this petition. All the contentions of all the parties are kept upon to be adjudicated before the learned Arbitrator.

9. 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.

10. 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.

11. Petition is disposed of in above terms.

[JITENDRA JAIN, J.]