



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION APPLICATION NO. 60 OF 2026

Tata Capital Ltd. ... APPLICANT

: VERSUS :

Abhishek Enterprises ... RESPONDENT

Ms. Mahtab Katariya i/b. Katariya Law Associates LLP, *for the Applicant.*

CORAM : SANDEEP V. MARNE, J.

DATED : 15 APRIL 2026.

P.C :

1) This is an application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (**Arbitration Act**) for appointment of Arbitrator for adjudication of disputes and differences between the parties arising out of loan-cum-guarantee agreement.

2) I have heard Ms. Katariya, the learned counsel appearing for the Applicant.

3) By order dated 26 February 2026, this Court had issued notices to the Respondents and had granted hamdust. Office report indicates that the Respondent is duly served. However, none appears on behalf of the Respondent.



4) Perusal of the loan-cum-guarantee agreement dated 4 December 2024 indicates presence of arbitration clause no.13. The venue and seat of arbitration is at Mumbai. Since this Court is satisfied about existence of arbitration agreement, it would be just and proper to constitute Arbitral Tribunal comprising of a sole arbitrator.

5) Accordingly, I proceed to pass the following order :

(A) Ms. Pooja Gera, an Advocate of this Court is hereby appointed as Sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of an loan-cum-guarantee agreement referred to above. The contact details of the Arbitrator are as under :

Office Address :- 1st Floor, 1 Infinity, Cawasji Patel Street, Fort,
Mumbai-400 001.

Email ID :- pooja.gera25@gmail.com

Mobile No.:- 99753 41273

(B) A copy of this order 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 Applicant 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 him, to obtain appropriate direction with regard to conduct of the arbitration including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearings etc.

(E) The sole Arbitrator shall be entitled to the fees 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 proportion and shall be subject to the final Award that may be passed by the 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 Arbitration Application is **disposed of**.

[SANDEEP V. MARNE, J.]

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