



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMMERCIAL ARBITRATION APPLICATION (L) NO. 8866 OF 2026

Nitya Nand and Sons Contractors Pvt
Ltd through its director Ashish Gupta

...Applicant

V/s.

Union of India and Ors.

...Respondents

Mr. Mihir S. Raje, *for Applicant.*

Mr. Rajiv Chavan, *Senior Advocate with Mr. Adarsh Vyas, Ms. Asmi Desai
and Ms. Sonam Pandey for Respondents-Union of India.*

CORAM: SANDEEP V. MARNE, J.

DATED: 7 MAY 2026.

P.C.:

1) This is an Application filed by the Applicant under provisions of Section 11 of the Arbitration and Conciliation Act, 1996 (**the Arbitration Act**) for appointment of Arbitrator for adjudication of disputes and differences that have arisen between the parties out of concerned Military Engineering Services (**MES**) Contract.

2) I have heard Mr. Raje, the learned counsel appearing for the Applicant and Mr. Chavan, the learned Senior Advocate appearing for the Respondents.

3) Mr. Chavan, fairly does not dispute existence of Arbitration Agreement between the parties. Both the learned counsel, on

instructions, have agreed for appointment of Mr. Prabhakar Y. Deshmukh, Superintending Engineer, as the sole Arbitrator for adjudication of the disputes.

4) Accordingly, with the consent of the parties following order is passed:

(A) Mr. Prabhakar Y. Deshmukh, Superintending Engineer is appointed as sole Arbitrator to adjudicate upon the disputes and differences that have arisen between between the parties out of concerned MES Contract. The contact details of the Arbitrator are as under :

Office Address :	'Suyah' B-44/173, Kalina CHS, Gurudwara Lane, Near Bombay College of Pharmacy, Santacruz (East), Mumbai-400098
Email id :	pydeshmukh@gmail.com
Contact No.	8888451111

(B) A copy of this order be communicated to the learned sole Arbitrator by the Advocates for the Applicant within a period of one week from the date of uploading 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 fees of the sole Arbitrator shall be as 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 portion and shall be subject to the final Award that may be passed by the Tribunal.

5) All rights and contentions of the parties are expressly kept open to be agitated before the Arbitral Tribunal.

6) With the above directions, the Application is **disposed** of.

[SANDEEP V. MARNE, J.]