



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
ARBITRATION PETITION (L) NO. 35627 OF 2025

Amit Chaurasia ...Petitioner

Versus

ICICI Bank Limited ...Respondent

Ms. Sanaya Dadachanji, a/w Resham Vasant Savla, i/b Manilal Kher Ambalal & Co., for the Petitioner.

Appearance not received for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : DECEMBER 10, 2025

ORDER :

1. While the Petition is for substitution of an arbitrator, on the face of the record, it is apparent that the contract between the parties is governed by the terms and conditions for which a link was always provided to the Petitioner, which meant that the terms and conditions of contract, which included the arbitration agreement, were always available to the Respondent.

2. On a review of the same, it is apparent that the parties had agreed to an online dispute resolution at the hands of an Online Dispute Resolution Agency. Indeed, opportunities had been given by the Online Dispute Resolution Agency to attempt conciliation and thereafter

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arbitration commenced. The Petitioner does not deny receiving these intimations. Instead, the Petition is premised on the footing that there has been no consensus on the appointment of an arbitrator and on that ground alone, substitution is sought.

3. Having examined the record, it is apparent that one cannot possibly conclude that there was no consensus simply because the terms and conditions of the agreement between the parties, entailed conciliation and arbitration by a named and pre-agreed Online Dispute Resolution Agency portal.

4. That being the case, *prima facie*, this Petition is misconceived. However, after the matter was argued for some time, the parties have expressed willingness to proceed to mediation before the mediation centre of this Court to see if the expenses of arbitration can be avoided with the parties entering upon a resolution.

5. The parties shall present themselves before the mediation centre of this Court whose contact particulars are set out below, no later than ***4:00 p.m. on December 12, 2025:***

Main Mediation Centre,
1st Floor, PWD Building,
Bombay High Court

Email : mediation@bhc.gov.in

6. The Mediation Centre shall issue further instructions on how to proceed in the matter.
7. The Parties shall intimate the arbitrator that this mediation exercise has been agreed to by the parties, and pending mediation, appropriate arrangements may be made by the Learned Arbitral Tribunal.
8. The Petition is *finally disposed of* in the aforesaid terms.
9. 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.

[SOMASEKHAR SUNDARESAN, J.]