

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**SUMMONS FOR JUDGMENT NO.56 OF 2019
IN
COMMERCIAL SUMMARY SUIT NO.344 OF 2019**

Hermes Ship Management Pvt. Ltd. .. Plaintiff
v/s.
Euro Marine Shipping Services Pvt.Ltd. .. Defendant

Ms. Bharati Narichania i/b. Vibha Juris Consultant Co. for the plaintiff.
Mr. Kunal Vaishnav a/w Prerna Verma a/w Jitendra C. i/b. Sapana
Rachure for the defendant.

**CORAM : A. K. MENON, J.
DATED : 9TH JUNE, 2022.**

P.C. :

1. At the hearing of the Summons for Judgment, both learned counsel state that they are now agreed that disputes and differences between them forming subject matter of the suit including matters in respect of which leave under Order XXXVII Rule 2 have been granted, shall be referred to sole arbitration by consent of Mr. Prathamesh Kamat, Advocate.

2. In view of the same, I pass the following order;

- (i) By consent, Mr. Prathamesh Kamat, Advocate, is appointed as Sole Arbitrator to adjudicate the disputes between the parties.
- (ii) The learned Arbitrator is requested to file his disclosure statement under Section 11(8) and Section 12(1) within four weeks with the Prothonotary and Senior Master and provide copies to the parties.
- (iii) Parties to appear before the Sole Arbitrator on a date to be fixed by him at his earliest convenience.
- (iv) Fees payable to the Sole Arbitrator will be in accordance with the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.
- (v) It is made clear that costs shall be shared equally in the first instance.
- (vi) All the rights and contentions of the parties are kept open that this court has not examined the merits of the case.
- (vii) It will be open to the plaintiff to adjudicate all its claims before the tribunal.
- (viii) Suit is disposed in the above terms.
- (ix) Refund of court fees, if any, as per rules.
- (x) In view of the disposal of the Suit, Summons for Judgment does not survive, same is also disposed.
- (xi) All concerned to act on an authenticated copy of this order.

(A. K. MENON, J.)