

Meena

IN THE HIGH COURT OF BOMBAY AT GOA
APPLN. FOR APPOINTMENT OF ARBITRATION NO.10 OF 2023

Shradha Shipping Company Pvt. Ltd. Rep by ... Applicant
Managing Director Chandrakant Gawas.

v/s.

Ravindra Naidu ...Respondent

Mr. Pritesh Majalikar, Advocate for the Applicant.

Ms. Prajyoti Paingankar, Advocate for the Respondent.

CORAM: BHARAT P. DESHPANDE, J

DATED: 8th February, 2024

P.C.:

1. Heard Mr. Pritesh Majalikar, learned Counsel for the applicant and Ms. Prajyoti Paingankar, learned Counsel for the Respondent.
2. The learned Counsel appearing for the parties hands in minutes of appointment of arbitration by mutual consent. The learned Counsel submit that the parties are now ready to refer the dispute to the learned Arbitrator. In the minutes, the name of the learned Arbitrator is also submitted.
3. Accordingly, Jt. N.A. Britto, a Former Judge of this Court is appointed as sole Arbitrator on mutual consent by the parties.

4. In these circumstances, the following order is passed :-
- a. Mr. N.A. Britto, a Former Judge of this Court, is appointed as the Sole Arbitrator to decide upon the disputes and differences between the Applicant and the Respondent.
 - b. A copy of this order will be communicated to the learned Sole Arbitrator by the Advocate for the Applicant within a period of one week from today.
 - c. The learned Sole Arbitrator is requested to forward his Statement of Disclosure under Section 11 (8) read with Section 12 (1) of the Arbitration Act to the Advocate for the Applicant so as to enable him to file the same in the Registry of this Court. The Registry of this Court shall retain the said Statement on the file of this Application and a copy of the same shall be furnished by the Advocates for the Applicant to the Advocates for the Respondent.
 - d. The parties shall appear before the learned Sole Arbitrator on such date and at such place as he nominates to obtain appropriate directions with regard to fixing a schedule for completing pleadings etc. The Arbitral Tribunal shall give all further directions with reference to the arbitration and also as to how it is to proceed.
 - e. Contact and communication particulars shall be provided by both sides to the learned Sole Arbitrator within a period of one week from today. This information shall include a valid and functional email address as well as the mobile numbers of the respective Advocates.
 - f. The parties have agreed that the Sole Arbitrator shall

charge his fees as per the 4th Schedule of the Arbitration and Conciliation Act, 1996 read with the Bombay High Court (Fee payable to Arbitrators) Rules, 2018. The parties have further agreed that all the arbitral costs and the fees of the Arbitrator will be borne by the Applicant and the Respondent equally and will be subject to the final Award that may be passed by the Tribunal.

- g. The parties immediately consent to a further extension of six months to complete the arbitration, should the learned Sole Arbitrator find it necessary.
 - h. The parties have agreed that the seat of the arbitration will be at Panaji, Goa. However, the venue of the Arbitration shall be decided by the Sole Arbitrator taking into consideration convenience of the parties as well as his convenience.
5. In view of above, Application stands disposed of.
6. Parties to act on an authenticated copy of this order.

B. P. DESHPANDE, J

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VISHAL
BHOIR

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by MEENA
VISHAL BHOIR
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