
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM. ARBITRATION PETITION NO. 42 OF 2024

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Khandoba Distilleries Private Limited	...Petitioner
<i>Versus</i>	
Bhima Sahakari Sakhar Karkhana Limited	...Respondent

Mr. Shon Gadgil *i/b Mr. Aniket Malu, for Petitioner.*

Mr. Sarang S. Aradhye *a/w. Gauri Velankar and Shantanu Gurav, for Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : January 9, 2025

P. C.

1. This is a Petition filed under Section 11 of the Arbitration and Conciliation Act, 1996 (“***the Act***”) in connection with the disputes and differences relating to an agreement for sale and purchase of molasses dated October 1, 2018 (“***Agreement***”) between the Petitioner and the Respondent.

2. Learned Counsel for the parties jointly submit that they have reached agreement on referring all disputes and differences covered by this Petition filed under Section 11 of the Act to arbitration by a sole arbitrator, namely, Mr. Vijay Marathe, Learned Advocate. The parties shall approach the

aforesaid arbitrator at the arbitrator's convenience, no later January 18, 2025 at a time and place convenient to the arbitrator.

3. Learned Counsel for parties also submit jointly that they have agreed that the venue of arbitration shall be Pune which will be a neutral ground, considering the location of each party.

4. Consequently, this Petition is finally disposed of in the following terms :

- a. Mr. Vijay Marathe, Advocate, is hereby appointed as the Sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of and in connection with the Agreement referred to above. The contact particulars are set out below :

Address : 'Soujanya", 44/28, Mahavir Housing
Society, Prabhakar Maharaj Mandir Road,
Solapur-413001.

Mobile No. : 9373964091/9404303999

Email: adv.vijay.marathe@gmail.com

- b. A copy of this Order shall be communicated to the Learned Sole Arbitrator by the Advocates for the Petitioner within a period of one week from today. The Petitioner shall provide the contact and communication particulars of the parties to the Arbitral Tribunal along with 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 Arbitration and Conciliation Act, 1996 to the parties within a period of two 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, to obtain appropriate directions with regard to conduct of the arbitration including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearings etc. At such meeting, the parties shall provide a valid and functional email address along with mobile and landline numbers of the respective Advocates of the parties to the Arbitral Tribunal. Communications to such email addresses shall constitute valid service of correspondence in connection with the arbitration;
 - e. All arbitral costs and fees of the Arbitral Tribunal shall be borne by the parties equally in the first instance, and shall be subject to any final Award that may be passed by the Arbitral Tribunal in relation to costs and ;
 - f. The parties have agreed that the venue and seat of the arbitration will be in Pune. It is clarified that it shall be open to the Arbitral Tribunal to conduct the proceedings online through electronic mode.
5. This Arbitration Petition is ***finally disposed of***.

6. 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.]