
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM. ARBITRATION PETITION NO. 47 OF 2024

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M/s. CEBIS India Limited
(Formerly known as Vayam Research Solutions
Limited)

...Petitioner

Versus

Emcure Pharmaceuticals Limited

...Respondent

Dr. P.V. Amarnadha Prasad (*through VC*) a/w. *Sohail Mukadam i/b
Sirius Legal, for Petitioner.*

Mr. Janay Jain a/w. *Mrs. Monisha Mane, Chandrajit Das and Ashutosh
Agarwal, 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 disputes and differences relating to an agreement of sale for goods and equipment and a master service agreement dated April 4, 2019 and August 18, 2021, respectively.

2. Learned Counsel for the parties jointly submit that they are willing to submit all disputes and differences covered by this Petition to arbitration by a sole arbitrator appointed by this Court.

3. The parties agree that the Learned Sole Arbitrator, hereby appointed, shall be free to fix reasonable fees commensurate with the nature of the disputes being referred to him.

4. In these circumstances, the following order is passed :

a. Hon'ble Shri Justice Suresh C. Gupte, a Former Judge of this Court 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 Agreements referred to above. The contact particulars are set out below :

Address : 376-A, Gupte House, 9th Road, Chembur,

Mumbai – 400 071.

Email : guptesc@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 Act to the Advocates for the Applicant so as to enable them 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 Respondent;

- d. The parties shall appear before the Learned Sole Arbitrator no later than January 20, 2025, 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*** in the aforesaid terms.

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.]