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

ARBITRATION APPLICATION NO. 222 OF 2024

Sustainable Agro Commercial Finance Ltd. ...Applicant

Versus

Stimulus Tours and Travels Private Limited ...Respondent

**ALONGWITH
ARBITRATION APPLICATION NO. 223 OF 2024**

Sustainable Agro Commercial Finance Ltd. ...Applicant

Versus

SM Containre Lines Private Limited ...Respondent

**ALONGWITH
ARBITRATION APPLICATION NO. 225 OF 2024**

Sustainable Agro Commercial Finance Ltd. ...Applicant

Versus

PR Packing Services ...Respondent

Mr. Yashpal Thakur *a/w Mr. Mukund Pandya for the Applicant.*
Mr. Jenil Shah *a/w Ms. Aishwarya Rajput for the Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : MARCH 24, 2025

PC :

1. These are Applications under Section 11 of the Arbitration and Conciliation Act, 1996 (***“the Act”***).

2. By an order dated March 3, 2025 an Arbitral Tribunal have been appointed. Today, when the matter is called out, Learned Counsel for the parties jointly make a request for substitution of the arbitrator by a Junior Advocate of this Court. Taking on board their joint request and in

view of the core principle of party autonomy, the order dated March 3, 2025 is modified by replacing the identity of the arbitrator appointed as follows :

A] Ms. Sheetal Prakash, Advocate 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 Agreement referred to above;

B] A copy of this Order will be communicated to the Learned Sole Arbitrator by the Advocates for the Applicant within a period of one week from the date on which this order is uploaded on the website of this Court. The Applicant 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 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 Respondents;

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 Tribunal in relation to costs.

3. All Applications are *finally disposed of*.
4. 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.]