

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM. ARBITRATION APPLICATION NO. 223 OF 2024

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TVS Supply Chain Solutions Limited	...Applicant
<i>Versus</i>	
Future Consumer Limited	...Respondent

Mr. Vaibhav Kamble *i/b A & G Legal Associates LLP, for Applicant.*

Mr. Saahil Memon *a/w. Devdatta Uchil i/b Link Legal, for Respondent.*

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : January 8, 2025

P. C.

1. This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (“***the Act***”), seeking appointment of an arbitrator to adjudicate disputes and differences between the parties in terms of a Warehouse Agreement dated June 6, 2021 for providing warehousing and incidental services as stated in the Warehousing Agreement. The arbitration agreement is contained in Clause 16 of the said Agreement. In the interest of brevity, the same has not been extracted here.

2. Today, when the matter called out, the parties jointly submit that they are willing to have the matter referred to arbitration by a sole arbitrator to be

appointed by this Court. The only difference between the parties is about the identity of the arbitrator.

3. In these circumstance, the following order is passed :
- a. Ms. Madhavi Mangesh Tavanandi, an 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 an Agreement referred to above.
 - b. A copy of this Order shall be communicated to the Learned Sole Arbitrator by the Advocates for the Applicant within a period of one week from today. 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 Arbitration Act 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 Tribunal in relation to costs; and
 - f. The parties have agreed that the venue and seat of the arbitration will be in Mumbai. It is clarified that it shall be open to the Arbitral Tribunal to conduct the proceedings online through electronic mode.
4. This Application is ***finally disposed of*** in the aforesaid terms.
5. 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.]