

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL ARBITRATION APPLICATION NO. 33 OF 2026**

M/S. D.S. Marine Repairs

.....APPLICANT

: VERSUS :

The Shipping Corporation of
India

....RESPONDENT

Mr. Hrishikesh Nadkarni i/b. Pan India Legal Services LLP, for the Applicant.

Mr. Vishal Hegde with Mr. S.V. Rao, Mr. Ramakrishna Akula, Ms. Nooraksa Ansari, Mr. Rohit Maurya, Ms. Sonal P., for the Respondent.

CORAM: SANDEEP V. MARNE, J.

DATED: 12 FEBRUARY, 2026.

P.C. :

1) This is an application under Section 11 of the Arbitration and Conciliation Act, 1996 for constitution of the Arbitral Tribunal for adjudication of disputes and differences between the parties arising out of tender document.

2) Mr.Hegde, learned counsel appears on behalf of the Respondent and fairly submits that there is agreement between the parties to arbitrate. He however submits that there is some inconsistency in two clauses about the number of arbitrators. However, after taking instructions from the Respondent, he fairly submits that a sole Arbitrator can be appointed.

3) In view of the consensus prevailing between the parties, I proceed to pass the following order :

(A) Mr. Justice M.S. Sanklecha, Former Judge of this Court is appointed as Sole Arbitrator to adjudicate upon the disputes and differences between the parties

(B) A copy of this order be communicated to the learned sole Arbitrator by the Advocate for the Applicant within a period of one week from the date of uploading of this order. The Applicant shall provide the contact and communication particulars of the parties to the Arbitral Tribunal alongwith 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 parties within a period of 2 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 by him to obtain appropriate direction with regard to conduct of the arbitration including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearings etc.

(E) The fees of the sole Arbitrator shall be as prescribed under the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018 and the arbitral costs and fees of the Arbitrator shall be borne by the parties in equal portion and shall be subject to the final Award that may be passed by the Tribunal.

4) All rights and contentions of the parties are expressly kept open to be raised before the Arbitral Tribunal.

5) With the above directions, the Commercial Arbitration Application is **disposed of**.

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[SANDEEP V. MARNE, J.]