**DIRECTIONS BY THE SOLE ARBITRATOR/ARBITRAL TRIBUNAL TO BOTH THE PARTIES (CLAIMANTS/RESPONDENTS)**

In the matter of the Arbitration Act, 1940

OR

In the matter of the Arbitration and Conciliation Act, 1996.

Dated :—

To,

(1) A.B.C.————————

————————(Claimant)

(2) X.Y.Z.————————

————————(Respondent)

**Sub : In the matter of Arbitration for the adjudication of disputes between A.B.C......and X.Y.Z......**

Dear Sir,

1. This is to give intimation that the sole Arbitrator/Arbitral Tribunal Appointed/Constituted to hear and adjudicate the above disputes, has/have entered on reference as from...........Please take notice that the first hearing of the aforesaid case will take place on.....(DATE) at .......(TIME) at......(PLACE).

2. You are entitled to appear, either personally or through your authorized advocate, before the sole Arbitrator/Arbitral Tribunal. In case you want to appear through counsel, you are required to send power of attorney/authorization letter.

3. You are required to produce on that date complete statement of the claim along with documents in support thereof on which you may wish to rely. You are also required to furnish copy of such statement of claimant along with supporting documents to the respondents on or before the said date. [Strike off, if claim already filed].

4. In case the respondents are supplied copy of the statement of claims on the said date they should submit their reply to the statement of claims within (mention the period), along with counter claims, if any, together with documents in support thereof, with copy to the claimant.

5. Please note that the sole Arbitrator/Arbitral Tribunal may proceed, with the arbitration in the absence of any or both the parties, who, neglect to attend the arbitral proceedings at the date, time and place appointed/fixed by the sole arbitrator/arbitral tribunal.

(SOLE ARBITRATOR)

OR

Encl :                                                                                                                                            (ARBITRAL TRIBUNAL)

[[Name of the Court and Place]]

In the matter of :

Arbitration BETWEEN

[[Entity: Choice(“company”, "corporation", "limited liability partnership", "limited partnership", "proprietorship firm")]], a company, duly incorporated and registered under the Companies Act, 1956, with its principal place of business located at [[Company Address]], (the “Company”), through its [[Authorised signatory: Name of the Person]], (the “Owner”).

. . . CLAIMANT

And

[[Entity: Choice(“company”, "corporation", "limited liability partnership", "limited partnership", "proprietorship firm")]], (the "Agency"), a company, duly incorporated and registered under the Companies Act, 1956, with its principal place of business located at [[Company Address]], (the “Company”), through its [[Authorised signatory: Name of the Person]], (the “Agent”).

. . . RESPONDENT

[[Provision under which the Application is filed]]

**STATEMENT OF FACTS OF THE CLAIMANTS**

are hereby acknowledged, the parties agree as follows:

1. The claimant is the importer and dealer in fertilisers. The respondent is a common carrier by sea and is the owner of, inter alia, the vessel “Jalarani”.
2. By a Charter Party Agreement dated April 22, 1995 the respondent undertook that its vessel M.V.J. would call at one or two safe ports U.S. Gulf, part of Tampa and there load full and complete cargo of 33,000 M.T. 5 per cent more or less at owner’s option the cargo Bulk Phosphate all under deck and carry the same to one or two safe ports, safe anchorages West or East Coast of India and there deliver the cargo in the same good condition as they were loaded to or to the order of the claimant for consideration as mentioned in the Charter Party.
3. The Master of the said M.V.J. issued Clean Bill of Lading dated April 25, 1996 incorporating the Charter Party therein. The said Charter Party contains an Arbitration Clause. The claimant is the consignee of the said Bill of Lading. Copies of Charter Party and Bill of Lading are annexed hereto marked “A2” and “A-1”.
4. The loading of the said cargo in good condition on the said vessel M.V.J. at port Tampa (Florida, U.S.A.) commenced on April 2, 1995 at 2340 hrs. and such loading was completed on April 25, 1995 at 1010 hrs. The total quantity loaded on to the said vessel was 20,800 M.Ts. of Bulk Phosphate

IN WITNESS WHEREOF, each party to this agreement has caused it to be executed at [[Place of Execution]] on the date indicated above.

DEPONENT

[[Deponent Email: Identity | Signature]]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*\*[[Name | Uppercase]]\*\*

[[Address]]

[[Contact]]

VERIFICATION

I, above named deponent do hereby and take oath that the contents of affidavit are true and correct with my knowledge and available record.

Date: [[Date]]

Place: [[Place]]

DEPONENT