



Guiding Spirit to Shipping Industry

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## 26TH Anniversary, A Milestone To Celebrate - Mr. Jayesh Jain, Founder Chairman & Managing Director, EXIM Transtrade



On 12th December 2020, EXIM Transtrade (I) Pvt. Ltd., successfully celebrated its 26th Anniversary. It is very rightly said that "Companies don't start out big, they grow" and EXIM's story is similar. EXIM too had humble beginning and today it is standing strong, tall & confident of future. In this incredible journey, the company has never lost sight of its values and roots.

With its organizational business policy of "Complete Customer Convenience" it has grown to international

scale and stature. EXIM has always kept "customer focus" as its core business culture. Being an established brand in the international Logistics sector the company has successfully forayed in the various global logistics domains like International Freight Forwarding, Over Dimensional Cargo, Dangerous Goods Cargo, Projects business, Consolidation, Custom broking - Export & Import and is aiming high on its future developments & growth agenda. EXIM is providing innovative, customized and highly efficient complete integrated logistics solutions to global fortune 500 companies as well as to local and privately-owned businesses. It serves to all the major ports in USA, Africa, Europe, Gulf & Middle East, Asia and Australia.



Mr. Jayesh Jain

"I am very proud today. This is definitely a milestone to celebrate," Jayesh Jain, founder Chairman & Managing Director says. He credits all the success of EXIM as an organization to its esteemed customers and to its people who he proudly calls as "EXIMians".

"We have become an established player in the market. Though there has been drastic change in the way the industry used to function whether it's business policies or ethics, however, technical and performance barriers remain high and we are confident that an experienced counterpart with a proven track record will prevail," he adds. As an industry stalwart and member of numerous national & international business associations, he has always been vocal for fair business policies and collective growth.

From having served 1000+ customers from export/import in all the major ports around the globe for almost all the industries one can imagine, EXIM envision it as a brand name synonymous

to international logistics. Team EXIM is extremely focused & dedicated to achieve its vision of "Logistics = EXIM". For EXIM business is not B2B today, it is H2H that is "Human to Human." Whether it's internal customers or external customers it is the human quotient that EXIM values and respects. EXIM has effectively established extensive national & international reach and presence throughout the globe and targets the world as its customer.

EXIM counts its efficient People, effective processes and sound technology as its backbone. At EXIM it is a common say "We are future ready, as we believe that 'Future is Awesome!'"

For more information please contact email: [mail@exim.ws](mailto:mail@exim.ws) or visit [www.exim.ws](http://www.exim.ws)

## Anti-suit Injunction in English court against Chinese Court proceedings

Dr. (Capt.) Vivek Jain, Barrister (England & Wales), LL.B. (Hons.)(London), LL.M. (Maritime Law ) (London), BVC (London), Ph.D. (Int. Law) (China) , Author of 'Common Law v Chinese Law'



Dr. ( Capt. ) Vivek Jain

In a new case, Grace Ocean Private Ltd v MV "Bulk Poland" – QBD (Comm Ct) (Bryan J) [2020] EWHC 3343 (Comm), just came this month, on 4 December 2020, the English court granted Claimant's application to continue with the anti-suit injunction with customary cross-undertaking in damages and be fortified with a Club LOU in the sum of £50,000.

### Facts of the case:

i. The dispute arises out of the carriage of some 69,699.714 mt of 2019 crop Brazilian soybeans in bulk (hereinafter "the Cargo") on board MV Bulk Poland (hereinafter "the Vessel"), from the port of Barcarena, Brazil, to the port in People's Republic of China.

ii. The contracts of carriage were contained in or evidenced by four bills of lading dated 1 July 2019 (hereinafter "the Bills"). There were four shippers of the soyabean cargo, and these bills were consigned "To Order". The Defendant's name and address were stated in the 'Notify address' section of each Bill. The original Bills were presented at Longkou in China by the Defendant, which took delivery of the Cargo.

iii. The Claimants, a company incorporated in Singapore, are the owners of the Vessel and the contractual carrier of the Cargo. The Defendant is the receiver of the Cargo and is a company incorporated in the People's Republic of China. The Cargo was insured by China

Pacific Insurance Co., Ltd ("CPIC") for the receivers.

iv. The Conditions of Carriage are mentioned on the reverse of each of these Bills. Clause 1 of the Conditions of Carriage states that:

1) All terms and conditions, liberties and exceptions of the Charter Party, dated as overleaf, including the Law and Arbitration Clause, are herewith incorporated.

The front page of each of the Bills referred to a charter party dated 17 May 2019 as follows:

Freight payable as per charter party dated 17 May 2019.

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