IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

937 ARBITRATION APPLICATION NO.18 OF 2019

YASH ASHOK SHARMA
VERSUS
M/S. SRIMIN TECHNOLOGIES PVT. LTD.
...
Advocate for Applicant : Shri Syed A.R. Brahme Shailesh P.
...
CORAM : RAVINDRA V. GHUGE, J.
Dated: November 15, 2019
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PER COURT :-

1. The respondent appears to have been served through e-mail service.

2. By way of a second chance, this Court again passed an order on 8.11.2019 permitting the petitioner to serve the respondent through e-mail service. A print out of the e-mail dated 13.11.2019 indicating the two attachments which contain both the orders of this Court, is taken on record and marked as Exhibit "X" for identification.

3. The learned Advocate for the petitioner submits that if the e-mail address is incorrect or the e-mail account is closed, the e-mail message is immediately responded by the Service Provider indicating the reason as to why the e-mail has bounced or is not served. No

such message has been received by the petitioner and the service is, therefore, complete.

4. I have perused Clause 10 of the agreement dated 28.11.2018 between the parties which provides for appointment of an Arbitrator under Section 11(5) of the Arbitration and Conciliation Act, 1996.

5. The learned Advocate, when called upon, suggests the name of Shri Justice P.V.Hardas (Former Judge of the Bombay High Court).

6. This application is, therefore, allowed. Shri Justice P.V.Hardas is appointed as a Sole Arbitrator. The petitioner shall deposit an amount of Rs.5,000/- with the Registry as processing fees for processing the papers to the learned Arbitrator.

(RAVINDRA V. GHUGE, J.)

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