

They had further agreed that the same terms and conditions as in order dated 28.06.2021 passed by this Court, be made applicable to the Sole Arbitrator appointed in substitution of the Sole Arbitrator who had been appointed by the said order.

4 In view of the agreement between the parties for appointment of Sole Arbitrator in substitution of the Sole Arbitrator who was appointed by order dated 28.06.2021 and who has thereafter refused to act as Sole Arbitrator, the following order is passed :

- i) By consent, Ms. Sadhana Mahadev Shinde, retired Principal District and Sessions Judge, shall be appointed as Sole Arbitrator to adjudicate upon the disputes and differences between the parties under the 'End User Leave and License Agreement' dated 09.01.2020.
- ii) The venue of arbitration shall be at Pune as per the arbitration agreement dispute resolution in clause 12.10 of the 'End User Leave and License Agreement' dated 09.01.2020.
- iii) Office to inform the Sole Arbitrator of her appointment.

iv) Considering the narrow scope of the dispute, the parties agree that the Sole Arbitrator to endeavour to conclude the Reference within six months from the date of first hearing.

v) The appointed Sole Arbitrator is requested to file her disclosure statement under Section 11(8) and 12(1) of the Arbitration and Conciliation Act, 1996 within a period of three weeks from the date of receipt of intimation, with the Registrar (Judicial-I) and provides copies to the parties.

vi) Parties to appear before the Sole Arbitrator on the date fixed by her.

vii) Fee applicable to the Sole Arbitrator will be in accordance with the Bombay High Court (Fee Payable to Arbitrators) Rules, 2018.

viii) Arbitration Petition is disposed of in the above terms.

ix) No costs.

(R.I. CHAGLA, J.)

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