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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ARBITRATION PETITION NO.128 OF 2023

Venkateshwara B.V. Biocorp Pvt. Ltd. ...Petitioner

Versus

Cian Healthcare Ltd. ...Respondent

Swatantri Waghmare for the Petitioner.

CORAM : R.I. CHAGLA J

DATE : 7TH OCTOBER, 2023

ORDER :

1. The Respondent has been issued notice which has been duly served on the Respondent. However, despite service the Respondent has not appeared today. Accordingly, the Arbitration Petition is taken up for hearing.

2. By this Arbitration Petition, the Petitioner has sought appointment of Mr. Bhalchandra Nikte, Advocate having address Office No.201, Amelia, 2nd Floor, CTS No.1102/A/6, Near Hotel Ambassador, Model Colony, Pune 411 016, Email

adv.nikte@gmail.com as Arbitrator for adjudicating the disputes between the Petitioner and Respondent arising out of and / or in relation to any matters under the said Agreement dated 28th December, 2018 and in particular under the arbitration agreement contained in Clause 26 of the said Agreement. Subsequent to the said Agreement Addendum Agreement has been executed by which the said Agreement is renewed for a further period of two years with effect from 29th December, 2020 to 28th December, 2022 which has been annexed at Exhibit D to the Petition.

3. The Petitioner has invoked the arbitration agreement by notice dated 29th November, 2022 giving requisite 30 days notice to the Respondent, failing which application shall be made under Section 11 of the Arbitration and Conciliation Act. The present Arbitration Petition has been filed in view of no response from the Respondent.

4. Having considered averments in the Arbitration Petition as well as arbitration clause 26 of the said Agreement which Agreement has been renewed by subsequent Addendum Agreement, the relief sought for in the Arbitration Petition is required to be

granted.

5. Hence, the following Order:-

(i) Mr. Bhalchandra Nikte, Advocate having address Office No.201, Amelia, 2nd Floor, CTS No.1102/A/6, Near Hotel Ambassador, Model Colony, Pune 411 016, Email adv.nikte@gmail.com is appointed as a Sole Arbitrator to decide the disputes between the Petitioner and the Respondent arising out of the Agreement dated 28th December, 2018 and subsequent Addendum Agreement executed between them.

(ii) The venue of arbitration shall be in Pune.

(iii) Office to inform the Sole Arbitrator regarding his appointment.

(iv) The Sole Arbitrator is requested to file his Disclosure Affidavit of Arbitration under Section 11(8)(i) of the Arbitration and Conciliation Act, 1996 within a period of three weeks from the date of receipt of the notice issued by the Registrar Judicial-I

and provide copies to the parties.

(v) Parties to appear before the Sole Arbitrator on the date fixed.

(vi) Fees of the Sole Arbitrator will be payable in accordance with the Bombay High Court (O.S.) Rules, 2018.

(vii) Arbitration Petition is disposed of in the above terms.

viii) No costs.

[R.I. CHAGLA J.]