

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

COMMERCIAL ARBITRATION PETITION NO. 13 OF 2023

Oracle Entertainment Pvt.Ltd.

...Petitioner

Versus

Ola Stores Technologies Private Limited

...Respondent

Mr. Bahraiz Irani a/w Afrin Dalal i/by Sahil Saiyed for the Petitioner.
Mr. Abhishek Khare a/w Ms. Sailee Dixit i/by Khare Legal LLP for the
Respondent.

CORAM : R.I. CHAGLA J

DATE : 11 October 2023

ORDER :

1. By this Arbitration Petition, the Petitioner is seeking appointment of the Sole Arbitrator to adjudicate the disputes and differences between the Petitioner and Respondent in relation to the Leave and Licence Agreement dated 4th January 2022 and for direction to the parties to share expenses of the Sole Arbitrator equally.

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2. The learned Counsel appearing for the Respondent has no objection to the appointment of the Sole Arbitrator.

3. There is an Arbitration Agreement under Clause 22 of the Leave and Licence Agreement dated 4th January 2022 which provides for the disputes that have arisen between the parties to be settled in accordance with the Arbitration and Conciliation Act, 1996 and arbitration to be held in Mumbai. The Petitioner has invoked arbitration by Notice dated 31st March 2023.

4. Accordingly, the following order is passed.:-

(i) Mr. Vishal Kanade, Advocate of this Court is appointed as a Sole Arbitrator to adjudicate the disputes and differences between the Petitioner and Respondent in relation to the Leave and Licence Agreement dated 4th January 2022 and in particular, under Clause 22 of the Agreement.

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

(iii) Office to inform the Sole Arbitrator regarding

appointment.

- (iv) The Sole Arbitrator is requested to file the 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 accordingly, disposed of in the above terms.
- (viii) There shall be no order as to costs.

[R.I. CHAGLA J.]