

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ARBITRATION PETITION NO. 353 OF 2024

Mahindra And Mahindra Financial Services Ltd ...Petitioner

Versus

Angel Auto Wheels Private Limited ...Respondent

WITH
ARBITRATION APPLICATION (L) NO. 38473 OF 2024

Mr. Raviraj, i/b Santosh Jawale, for the Petitioner.

Appearance not received for Respondent.

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : SEPTEMBER 26, 2025

ORDER :

1. Commercial Arbitration Petition No.353 of 2024 is a Petition under Section 9 of the Arbitration and Conciliation Act, 1996 (“***the Act***”) filed by a lender while the Arbitration Application (L) No.38473 of 2024 is an Application under Section 11 filed by the borrower.

2. It would be appropriate to refer the parties to arbitration forthwith and the Petition under Section 9 seeking certain interlocutory protective reliefs shall be treated as an Application under Section 17 of the Act by the arbitral tribunal appointed hereby. Given the efflux of

Digitally
signed by
ASHWINI
JANARDAN
VALLAKATI
Date:
2025.11.20
17:53:19
+0530

time, the Petitioner is at liberty to modify or mould the contents of Section 9 Petition for its consideration as a Section 17 Application.

3. In these circumstances, both the Application under Section 11 and Petition under Section 9 are hereby ***finally disposed of***, in terms of the following order:

A) Resolve X, an independent online dispute resolution institution is directed to appoint a sole arbitrator to adjudicate upon the disputes and differences between the parties arising out of and in connection with the Agreement referred to above;

B] The contact particulars of the Head Coordinator, Resolve X are set out below:-

Email id : info@resolvex.co.in

Address: 21-A, First Floor, Plot No. 15,
Contractor Building, Vaju Kotak Marg,

Ballard Estate, Mumbai - 400001

Contact No: +91 9967571374

Website: www.resolvex.co.in

C] A copy of this Order will be communicated to Resolve X by the Advocates for the Petitioner within a

period of one week from the date on which this order is uploaded on the website of this Court. The Petitioner shall provide the contact and communication particulars of the parties to Resolve X along with a copy of this Order;

D] It is clarified that Resolve X being an ODR institution, all proceedings will be conducted online through electronic mode, unless otherwise agreed between the appointed Arbitrator and the parties, with appropriate notification to the administration of Resolve X;

E] The administration of Resolve X is requested to appoint an independent arbitrator in compliance with the Act and its own rules consistent with the Act as soon as possible and in any event within a period of two weeks from receipt of a copy of this Order;

F] The parties shall provide a valid and functional email address along with mobile and landline numbers of the respective Advocates of the parties to the administration of Resolve X and any other particulars as reasonably requested by the administration.

Communications to such email addresses shall constitute valid service of correspondence in connection with the arbitration;

G] All arbitral costs and fees of the arbitration shall be borne by the parties equally in the first instance, and shall be subject to any final Award that may be passed by the Tribunal in relation to costs; and

H] The seat of the arbitration shall be deemed to be the same as the seat discernible from the Agreement while the arbitration shall primarily be conducted online.

4. Needless to say, nothing contained in this order is an expression of an opinion on merits of the matter or the relative strength of the parties. All issues on merits are expressly kept open to be agitated before the arbitral tribunal appointed hereby.

5. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]