
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

COMMERCIAL ARBITRATION PETITION NO. 330 OF 2025

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Profectus Capital Private Limited

... Petitioner

Vs.

Global Technologies and Services
& 3 Ors.

.. Respondents

Mr. Vishal Maheshwari *i/b VM Legal, for Petitioner.*

Appearance for the Respondents has not been submitted.

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : July 18, 2025

Order :

1. This is a Petition under Section 9 of the Arbitration and Conciliation Act, 1996 (“***the Act***”).
2. Learned Counsel for the Respondents has entered appearance and accepts notice and submits that he has no quarrel to proceed to arbitration forthwith.
3. In these circumstances, it would be appropriate to convert this Petition filed under Section 9 into an application under Section 17 of the Act for consideration by the Arbitral Tribunal appointed hereby. The Learned Arbitral Tribunal is requested to convene within a period of one week from

the upload of this order on the website of this Court and issue directions to the parties on how to proceed further.

4. There shall be *interim* relief in terms of prayer clause (ii) (found at Page No.45 of the Petition) necessitating a full disclosure of all assets of the Respondent :

(ii) Be pleased to direct the Respondents to file an Affidavit, in their respective capacities, before this Hon'ble Court inter alia disclosing all their respective assets (moveable and/ or immoveable), including the names and contact details of the current debtors and the amount received and/ or to be received from its debtors, stocks in possession of the Respondent No. 1, bank accounts with bank account statements for last one year; investments, along with all details and particulars of encumbrance thereon, Income Tax Returns of the last 3 years and all other properties owned by the Respondents and of any of the entities/ firm owned by the Respondents;

5. The Learned Arbitral Tribunal is requested to convene at the earliest and consider such other interlocutory arrangements that may be necessary in the facts of the case. Consequently, the Arbitral Tribunal is appointed in the following terms :

A] Presolv360, an independent online dispute resolution institution is directed to appoint a sole arbitrator to adjudicate upon the disputes and differences between the parties covered by this Petition and administer the same;

B] The contact particulars of the Director, Presolv360 are set out below:-

Email id : info@presolv360.com

Contact No. - +91-9820167337

Address: 1st Floor, Esperanca Building, Shahid Bhagat Singh Road, Colaba, Mumbai – 400 001.

Website: www.presolv360.com

C] A copy of this Order will be communicated to Presolv360 by the Advocates for the Petitioner within a period of one week from upload of this order on the website of this Court. The Petitioner shall provide the contact and communication particulars of the parties to Presolv360 along with a copy of this Order;

D] It is clarified that Presolv360 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 Presolv360.

E] The administration of Presolv360 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 Presolv360 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.

6. The Petition, upon such conversion into Section 17 Application, is *finally disposed of*. Pleadings, if any, may be continued before the Learned Arbitral Tribunal appointed hereby.

7. Until the Arbitral Tribunal convenes, the Respondents shall not dispose of any of the properties over which the Petitioner has a security interest.

8. 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.]