



ARB-98-2025

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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ARB-98-2025

Date of Decision: 07.08.2025

Mantarav Private Limited

...Applicant

Versus

MWB Technologies India Private Limited

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Kishore Kumar, Advocate and
Mr. Shobit Phutela, Advocate for the applicant

Mr. Mahir Sood, Advocate,
Mr. Gaurav Chhonkar, Advocate and
Mr. Anirudh Bhaskar, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. Through instant application under Section 11(6) of the Arbitration and Conciliation Act, 1996 (for short '**1996 Act**'), the applicant is seeking appointment of an Arbitrator.

2. The parties entered into agreements dated 28.07.2023, 01.02.2022 and 28.07.2023. A dispute erupted between the parties. The applicant served notice upon the respondent seeking resolution of dispute through Arbitral Tribunal but to no avail.

3. Learned counsel for the respondent submits that first agreement was executed between the parties, however, no subsequent agreement was ever executed between the parties. As per first agreement, the seat of Arbitral Tribunal is at Hubli (Karnataka).



On being asked, he expressed his inability to controvert that as per subsequent agreements, this Court has jurisdiction to entertain application under Section 11(6) of 1996 Act.

4. The applicant is claiming that respondent has acted upon subsequent agreements, thus, there is no question of non-execution of agreements.

5. The issues raised by parties are disputed questions especially when communication took place through electronic mode. The payment and issue of invoice is not disputed. The respondent is disputing the fact that invoices relate to first agreement. This Court while adjudicating this application cannot adjudicate disputed questions especially whether payment was made with respect to first or second agreement. All these questions need to be adjudicated by the Arbitral Tribunal.

6. Conditions to invoke power conferred by Section 11(6) of 1996 Act stand satisfied, thus, I hereby appoint a Sole Arbitrator to adjudicate the dispute between the parties.

7. Mr. Justice M.M.S. Bedi, Former Judge of this Court, residing at House No.2152, Sector 44-C, Chandigarh- 160047, Mobile No.9780008126 is hereby appointed as a Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory requirements. The learned Arbitrator is requested to comply with mandate of Section 12 of 1996 Act before proceeding further.

8. The parties at the first instance will appear before the Arbitrator on 21.08.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.



9. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.
10. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.
11. Needless to mention, parties would be at liberty to raise all the claims/defences/counter claims/pleas before the Arbitrator. Any observation made hereinabove will not be binding on the learned Arbitrator.
12. A request letter along with copy of this order be sent to Mr. Justice M.M.S. Bedi.

(JAGMOHAN BANSAL)
JUDGE

07.08.2025
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No