

**ARB-462-2024****-1-**

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

269**ARB-462-2024****Date of Decision: 14.07.2025****M/s Girnar Capital Pvt. Ltd.****...Applicant**

Versus

Rowwet Mobilty Pvt. Ltd. and others**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Rajat Singla, Advocate
for Mr. Aditya Jain, Advocate for the applicant
Mr. Anoop Verma, Advocate for the respondents

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 alleged arbitration agreement dated 05.01.2024 (Annexure A-1). 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 respondents submits that there is dispute with respect to the execution of arbitration agreement. Respondent No.3 i.e. Managing Director of respondent No.1 has allegedly signed arbitration agreement through Aadhaar based OTP. There are no digital signatures on the alleged agreement. The respondent has lodged criminal complaint with the police against the applicant.



4. The issues raised by the respondent are disputed questions of fact which cannot be adjudicated by this Court. The matter needs to be examined by an Arbitrator especially when at earlier stage agreement was executed between the parties and present agreement was allegedly signed through Aadhaar based OTP.

5. 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.

6. Mr. Justice Ravi Shanker Jha, Former Chief Justice of this Court, residing at H.No. 913, Old B-68, Pandit Lajja Shankar Jha Road, Wright Town, Jabalpur-482001, Mobile No.9425153362 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.

7. The parties at the first instance will appear before the Arbitrator on 28.07.2025 at 10:00 AM and thereafter, as directed by learned Arbitrator.

8. The Arbitrator shall be paid fee in accordance with the Fourth Schedule of the 1996 Act, as amended.

9. The Arbitrator is requested to complete the proceedings as per time limit specified under Section 29-A of the 1996 Act.

10. 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.



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11. A request letter along with copy of this order be sent to
Mr. Justice Ravi Shanker Jha.

(JAGMOHAN BANSAL)
JUDGE

14.07.2025
Mohit Kumar

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