

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

ARBITRATION PETITION NO. 276 OF 2025

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M/s Shiv Shakti Sanchar Pvt Ltd.

through its Director,

Mr. Sanjay Manchanda

...Petitioner

Versus

1. M/s HFCL Ltd.

(Formerly Hirnachal Futuristic
Communications Ltd.)

2. M/s Reliance Jio Infocomm Ltd.

Through Authorized Signatory

...Respondents

Mr. Sanjay Manchanda *through VC a/w Rushabh Thacker, for
Petitioner.*

**Mr. Gaurav Thakur and Ms. Aditi Kambli i/b A. S. Dayal &
Associates, for Respondents.**

CORAM : SOMASEKHAR SUNDARESAN, J.

Date : January 9, 2026

ORDER :

1. This Petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (***“the Act”***), seeking appointment of an arbitrator in connection with disputes and differences that are said to have arisen between the parties.

2. The order of the Prothonotary and Senior Master dated December 12, 2025, is on record. Based on an objection by the Scrutiny

Officer that the parties reside outside Mumbai, a request was made by the Petitioner to shift the proceedings from the Original Side to the Appellate Side. However, the seat of arbitration is explicitly “*Mumbai*”.

3. Since, the litigants have been sent from one side of the Court to another and neither has an objection to proceeding to arbitration, this Petition is disposed of by consent of the parties, by appointing an arbitrator. Since the parties have consensus on proceeding to arbitration, this order is not being burdened with factual detail of the agreement in question. Leaving the issue of limitation open, for consideration under Section 16 of the Act, the Arbitral Tribunal is hereby constituted 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 arising out of and in connection with the Agreement referred to in the 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 Advocate for the Petitioner within a period of one week from the 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.

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.]