



ARB-417-2025 (O&amp;M)

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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

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ARB-417-2025 (O&M)  
Date of Decision: 16.03.2026

Unisys Infosolutions Private Limited

.... Applicant

Versus

Aditya Prateek Singh and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Sylvester Stephen, Advocate  
for the applicant.

Mr. Saurabh Gulia, Advocate &  
Mr. Vijender Parmar, Advocate,  
for the respondents.

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**JASGURPREET SINGH PURI, J. (ORAL)****CM-5562-CII-2026**

The present application has been filed under Section 151 of the Code of Civil Procedure seeking permission to place on record the communications exchanged between the applicant and the officials of respondent No.2 as Annexure P-14.

Learned counsel for the applicant submitted that although there was an agreement executed between the applicant and respondent No.1 but so far as respondent No.2 is concerned, it was also having interest in the subject matter and respondent No.2 acted as Patent Management Company of respondent No.1. In this regard, he referred to the WhatsApp chat communications (Annexure P-14) to show that respondent No.2 was actively involved in discussions and decisions concerning the subject matter of the dispute.

On the other hand, learned counsel for the respondents has

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submitted that respondent No.2 was never a party to the agreement and such WhatsApp chat communications cannot be relied upon as being unauthenticated and the same have not been filed with a Certificate under Section 63(4)(c) of the Bharatiya Sakshya Adhiniyam (BSA), 2023 (erstwhile Section 65-B of the Indian Evidence Act, 1872). It is a matter of a common knowledge that such communications can be easily generated using simple software and therefore, the present application is liable to be dismissed.

I have heard the learned counsels for the parties on the aforesaid application.

Respondent No.2 is not a party to the agreement. However, the present application seeks to place on record certain WhatsApp communications which are not attached with a Certificate under Section 63(4)(c) of the Bharatiya Sakshya Adhiniyam (BSA), 2023 (erstwhile Section 65-B of the Indian Evidence Act, 1872). It is a matter of common knowledge that such WhatsApp Communications can be generated using readily available software. Such kind of WhatsApp communications cannot be permitted to be taken on record by the Court in such circumstances in the absence of any authentication thereof. Annexure P-14 which is sought to be placed on record, is merely a photocopy of alleged communications between the applicant and officials of respondent No.2 pertaining to the subject matter of the dispute.

The application is therefore liable to be dismissed with costs of ₹5,000/-. The applicant is directed to deposit the aforesaid costs in the High Court Legal Services Committee within a period of two months from today and thereafter, furnish a receipt of the same in the Registry of the Court.

**Main Case:**

1. The present application has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') praying for appointment of an independent Sole Arbitrator to adjudicate upon the disputes and differences, which have arisen between the parties.

2. Learned counsel for the applicant submitted that an agreement was executed between the applicant and respondent No.1 vide Annexure P-3 which is pertaining to Producer and Line Producer Work for Hire Agreement, in which there exists a valid arbitration clause i.e. Clause 12. The said clause provides that all the disputes or differences arising out of or in connection with the agreement shall be referred to a Sole Arbitrator to be mutually appointed or through majority, failing which, the arbitration shall in all matters be governed by the Act. He further submitted that when a dispute arose between the parties, the applicant invoked the aforesaid arbitration clause by issuing a notice under Section 21 of the Act to the respondents vide Annexure P-10 dated 11.06.2024 wherein even the name of an Arbitrator was proposed by the applicant. However, the respondents did not accept the same. Therefore, the present application has been filed under Section 11 of the Act for appointment of an independent Sole Arbitrator.

3. On the other hand, learned counsel for the respondent submitted that there is no dispute with regard to the existence of the aforesaid agreement (Annexure P-3) and the arbitration clause contained therein. He further submitted that there is also no dispute that the aforesaid arbitration clause has been invoked by the applicant vide Annexure P-10.

4. After hearing the learned counsels for the parties, this Court is of the considered view that all the essential conditions for appointment of an



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independent Sole Arbitrator under Section 11 of the Act stand satisfied since the existence of the aforesaid arbitration clause as well as its invocation is not disputed by learned counsel for the respondents qua respondent No.1.

5. Consequently, the present application is allowed. Mr. Justice Vivek Puri, a former Judge of this Court, resident of House No.237, Sector 16-A, Chandigarh, Mobile No.8558800190, Email ID: vivekpuri1962@gmail.com, is nominated as the Sole Arbitrator to adjudicate the dispute between the parties, subject to compliance of statutory provisions including Section 12 of the Act.

6. Parties are directed to appear before the learned Arbitrator on date, time and place to be fixed and communicated by the learned Arbitrator at his convenience.

7. Fee shall be paid to the learned Arbitrator in accordance with the Fourth Schedule of the Arbitration Act, as amended.

8. Learned Arbitrator is also requested to complete the proceedings as per the time limit prescribed under Section 29-A of the Act.

9. A request letter alongwith a copy of the order be sent to Mr. Justice Vivek Puri, a former Judge of this Court.

**16.03.2026**

*Bhumika*

**(JASGURPREET SINGH PURI)  
JUDGE**

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable:        | Yes/No |