

SHABNOOR

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

ARBITRATION APPLICATION NO. 239 OF 2026

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Searce Cosourcing Services Private
Limited Through its Authorized
Representative Ms Diwyata Burbure ... Applicant

V/s.

HYPD Marketing Technologies
Private Limited and Anr. ... Respondents

Ms. Keertana Nair i/b GNP Legal, Advocate for the
Applicant.

Mr. Ishan Agrawal a/w Ms. Rasika Ghate i/b
Nyaayam Associates, Advocates for the Respondents.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 21, 2026

PC.:

1. This Application has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 ("the Act"), seeking appointment of an arbitrator in connection with the disputes and differences stated to have arisen between the parties under the Agreement dated 25 August 2023, at page 43 of the Application. The arbitration agreement is contained in Clause 21 at page 43 of the Application, which provides that the seat and venue of the arbitration shall be Mumbai, India. In the interest of brevity, the arbitration agreement is not extracted herein. Suffice it to say that the present matter falls within the

jurisdiction of this Court.

2. By consent of the parties, following order is passed:

(a) Mr. Ashish Venugopal, Advocate of this Court having Address: Chambers of Nikhil Sakhardande, Senior Advocate, 1101, 11th Floor, 1infinity (formerly known as Ramnimi Fort), Cawasji Patel Street, Mumbai - 400 001. Email:ashish.venugopal001@gmail.com Contact: +91 9029071385 is appointed as the sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of an in connection with the Agreement;

(b) A copy of this order will be communicated to the learned Sole Arbitrator by the Advocates for the petitioner within a period of one week from the date of upload of this order. The petitioner shall provide contact and communication particulars of the parties to the Arbitral Tribunal along with a copy of this order;

(c) The learned Sole Arbitrator is requested to forward the statutory State of Disclosure under Section 11(8) read with Section 12(1) of the Act to the parties within a period of two weeks from receipt of a copy of this order;

(d) The parties shall appear before the learned Sole Arbitrator on such date and at such place as indicated, to obtain appropriate directions with regard to conduct of the

arbitration including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearings etc. At such meeting, 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 Arbitral Tribunal. Communications to such email addresses shall constitute valid service of correspondence in connection with the arbitration;

(e) All arbitral costs and fees of the Arbitral Tribunal as per Schedule IV 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.

3. 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.

4. 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.

(AMIT BORKAR, J.)