

**M/s Naveen Auto Store Sole Proprietary
versus Mahindra and Mahindra Ltd. & ors.**

**Arbitration Case No.814 of
2024**

14.11.2024 Present: Mr. Tara Singh Chauhan, Senior Advocate with Mr. Surya Chauhan, Advocate, for the petitioner.

Instant petition has been filed under Section 9 of the Arbitration and Conciliation Act, 1996, praying for interim measures for seeking restoration of DMS-Dealer Code, which was blocked on 24.04.2024 [Annexure P-12, Colly].

2. Material on record reveals that in terms of Clause 30 of the Agreement and the Provisions of the Arbitration and Conciliation Act, 1996, the petitioner had issued a notice on 19.08.2024 [Annexure P-13], proposing the name of a sole Arbitrator, to which the respondents have given a response dated 05.09.2024 [Photocopy Taken on Record], declining the appointment of the proposed Arbitrator.

3. It is further submitted that the action of declining the efforts towards settlement through arbitration, is not in conformity with law.

4. In these circumstances, let notice be issued to respondents No.1 to 3, returnable for 05.12.2024, on taking steps, if any, within two days.

5. It is clarified that pendency of the instant petition shall not come in the way of respective parties [petitioner or the respondents] to seek appropriate remedy for appointment of Arbitrator, in accordance with law.

November 14, 2024
(Shivender)

(Ranjan Sharma)
Judge